

Labor, Health and Human Services, and Education: FY2014 Appropriations

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Summary

This report provides an overview of actions taken by Congress to provide FY2014 appropriations for accounts funded by the Departments of Labor, Health and Human Services, and Education, and Related Agencies (L-HHS-ED) appropriations bill. The L-HHS-ED bill provides funding for all accounts subject to the annual appropriations process at the Departments of Labor (DOL) and Education (ED). It provides annual appropriations for most agencies within the Department of Health and Human Services (HHS), with certain exceptions (e.g., the Food and Drug Administration is funded via the Agriculture bill). The L-HHS-ED bill also provides funding for more than a dozen related agencies, including the Social Security Administration (SSA).

Enacted Appropriations: On January 17, 2014, President Obama signed into law the Consolidated Appropriations Act, 2014 (P.L. 113-76), which provided appropriations for FY2014 (see Division H for L-HHS-ED). This law provided \$164 billion in discretionary funding for L-HHS-ED, which is about 4% more than the FY2013 post-sequester funding level (\$157 billion) and about 3% less than the FY2014 President's Budget request (\$171 billion). In addition, the FY2014 omnibus provided an estimated \$612 billion in mandatory L-HHS-ED funding, for a total of \$776 billion for L-HHS-ED as a whole. The FY2014 omnibus followed two government-wide continuing resolutions (CRs), which had provided temporary funding earlier in the fiscal year (P.L. 113-46 and P.L. 113-73). However, no government-wide CR was in place at the beginning of the fiscal year (October 1), resulting in a funding gap and government shutdown for affected projects and activities until the first government-wide CR for FY2014 was enacted on October 17, 2013 (P.L. 113-46).

Earlier L-HHS-ED Congressional Action: Prior to the start of the fiscal year, the Senate Appropriations Committee initiated action on a full-year FY2014 L-HHS-ED bill. On July 11, 2013, the Senate Appropriations Committee reported this bill (S. 1284, S.Rept. 113-71). As reported, S. 1284 would have provided \$171 billion in discretionary L-HHS-ED funding. This amount is about 9% more than the FY2013 post-sequester funding level and about 1% more than the FY2014 President's request. In addition, the Senate committee bill would have provided an estimated \$613 billion in mandatory funding, for a combined total of nearly \$783 billion for L-HHS-ED as a whole. The House did not take action on a stand-alone L-HHS-ED bill for FY2014.

President's Request: On April 10, 2013, the Obama Administration released its FY2014 Budget. The President requested \$170 billion in discretionary funding for accounts funded by the L-HHS-ED bill (+8% from FY2013 post-sequester levels). In addition, the President's Budget requested roughly \$612 billion in annually appropriated mandatory funding, for a total of roughly \$782 billion (+4% from FY2013 post-sequester levels) for the L-HHS-ED bill as a whole.

DOL Snapshot: The FY2014 omnibus provided roughly \$12.04 billion in discretionary funding for DOL. This is about 2% more than the FY2013 post-sequester funding level of \$11.85 billion and 4% less than the FY2014 request of \$12.50 billion.

HHS Snapshot: The FY2014 omnibus provided roughly \$70.44 billion in discretionary funding for HHS. This is about 6% more than the FY2013 post-sequester funding level of \$66.41 billion and 3% less than the FY2014 request of \$72.50 billion.

ED Snapshot: The FY2014 omnibus provided roughly \$67.30 billion in discretionary funding for ED. This is about 2% more than the FY2013 post-sequester funding level of \$65.70 billion and 5% less than the FY2014 request of \$71.21 billion.

Related Agencies Snapshot: The FY2014 omnibus provided roughly \$14.06 billion in discretionary funding for L-HHS-ED related agencies. This is 5% more than the FY2013 post-sequester funding level of \$13.34 billion and 4% more than the FY2014 request of \$13.47 billion.

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Introduction

This report provides a status update on FY2014 appropriations actions for accounts traditionally funded in the appropriations bill for the Departments of Labor, Health and Human Services, and Education, and Related Agencies (L-HHS-ED). This bill provides discretionary and mandatory appropriations to three federal departments: the Department of Labor (DOL), the Department of Health and Human Services (HHS), and the Department of Education (ED). In addition, the bill provides annual appropriations for more than a dozen related agencies, including the Social Security Administration (SSA).

Discretionary funds represent less than one-quarter of the total funds appropriated in the L-HHS-ED bill. Nevertheless, the L-HHS-ED bill is typically the largest single source of discretionary funds for domestic non-defense federal programs among the various appropriations bills (the Department of Defense bill is the largest source of discretionary funds among all federal programs). The bulk of this report is focused on discretionary appropriations because these funds receive the most attention during the appropriations process.

The L-HHS-ED bill typically is one of the more controversial of the regular appropriations bills because of the size of its funding total and the scope of its programs, as well as various related policy issues addressed in the bill, such as restrictions on the use of federal funds for abortion and for research on human embryos and stem cells.

Congressional clients may consult the L-HHS-ED experts list in CRS Report R42638, *Appropriations: CRS Experts* for information on which analysts to contact at the Congressional Research Service (CRS) with questions on specific agencies and programs funded in the L-HHS-ED bill.

Report Roadmap and Useful Terminology

This report is divided into several sections. The current section provides an explanation of the scope of the L-HHS-ED bill (and hence, the scope of this report), as well as an introduction to important terminology and concepts that carry throughout the report.

Next is a series of sections describing major congressional actions on FY2014 appropriations and (for context) a review of the conclusion of the FY2013 appropriations process.

The following section provides a high level summary and analysis of proposed and enacted mandatory and discretionary appropriations for FY2014, compared to FY2013 pre- and post-sequester funding levels.

The body of the report concludes with overview sections for each of the major components of the bill: the Department of Labor, the Department of Health and Human Services, the Department of Education, and Related Agencies. These sections provide selected highlights of the FY2014 omnibus, compared to proposed appropriations in the Senate committee-reported bill (S. 1284), the FY2014 President's request, and final FY2013 (pre- and post-sequester).

Finally, an **Appendix** to the report provides a summary of budget enforcement activities. This includes a brief description of the Budget Control Act of 2011 (BCA), a discussion of sequestration in FY2013 and FY2014, and an overview of other budget enforcement issues, including congressional work on an FY2014 budget resolution and 302(b) allocations (i.e., budget enforcement caps).

Scope of the Report

This report is focused strictly on appropriations to agencies and accounts that are subject to the jurisdiction of the Labor, HHS, Education, and Related Agencies Subcommittees of the House and the Senate Appropriations Committees (i.e., accounts traditionally funded via the L-HHS-ED bill). Department “totals” provided in this report do not include funding for accounts or agencies that are traditionally funded by appropriations bills under the jurisdiction of other subcommittees.

The L-HHS-ED bill provides appropriations for the following federal departments and agencies:

- the Department of Labor;
- the majority of the Department of Health and Human Services, except for the Food and Drug Administration (provided in the Agriculture appropriations bill), the Indian Health Service (provided in the Interior-Environment appropriations bill), and the Agency for Toxic Substances and Disease Registry (also funded through the Interior-Environment appropriations bill);
- the Department of Education; and
- more than a dozen related agencies, including the Social Security Administration, the Corporation for National and Community Service, the Corporation for Public Broadcasting, the Institute of Museum and Library Services, the National Labor Relations Board, and the Railroad Retirement Board.

Note also that funding totals displayed in this report do not reflect amounts provided outside of the regular appropriations process. Certain direct spending programs, such as Old-Age, Survivors, and Disability Insurance and parts of Medicare, receive funding directly from their authorizing statutes; such funds are not reflected in the totals provided in this report because they are not subject to the regular appropriations process (see related discussion in the “Important Budget Concepts” section).

Important Budget Concepts

Mandatory vs. Discretionary Appropriations¹

The L-HHS-ED bill includes both discretionary and mandatory appropriations. While all discretionary spending is subject to the annual appropriations process, only a portion of all mandatory spending is provided in appropriations measures.

Mandatory programs funded through the annual appropriations process are commonly referred to as *appropriated entitlements*. In general, appropriators have little control over the amounts provided for appropriated entitlements; rather, the authorizing statute establishes the program parameters (e.g., eligibility rules, benefit levels) that entitle certain recipients to payments. If Congress does not appropriate the money necessary to meet these commitments, entitled recipients (e.g., individuals, states, or other entities) may have legal recourse.²

¹ For definitions of these and other budget terms, see U.S. Government Accountability Office (GAO), *A Glossary of Terms Used in the Federal Budget Process*, GAO-05-734SP, September 1, 2005, <http://www.gao.gov/products/GAO-05-734SP>. (Terms of interest may include appropriated entitlement, direct spending, discretionary, entitlement authority, and mandatory.)

² Sometimes appropriations measures include amendments to laws authorizing mandatory spending programs and thereby change the amount of mandatory appropriations needed. Because such amendments are legislative in nature,

Most mandatory spending is not provided through the annual appropriations process, but rather through direct spending budget authority provided by the program's authorizing statute (e.g., Old-Age, Survivors, and Disability Insurance). The funding amounts in this report do not include direct spending budget authority provided outside of the appropriations process. Instead, the amounts in this report reflect only those funds, discretionary and mandatory, that are provided through appropriations bills.

Note that, as displayed in this report, mandatory amounts for the FY2014 President's request reflect current law (or current services) estimates as reported in S.Rept. 113-71; they do not include any of the Administration's proposed changes to a program's authorizing statute that might affect total spending. (In general, such proposals are excluded from this report, as they typically require authorizing legislation.)

Note also that the report focuses most closely on discretionary funding. This is because discretionary funding receives the bulk of attention during the appropriations process. (As noted earlier, although the L-HHS-ED bill includes more mandatory funding than discretionary funding, the appropriators generally have less flexibility in adjusting mandatory funding levels than discretionary funding levels.)

Total Budget Authority Provided in the Bill vs. Total Budget Authority Available in the Fiscal Year

Budget authority is the amount of money Congress allows a federal agency to commit or spend. Appropriations bills may include budget authority that becomes available in the current fiscal year, in future fiscal years, or some combination. Amounts that become available in future fiscal years are typically referred to as *advance appropriations*.

Unless otherwise specified, appropriations levels displayed in this report refer to the total amount of *budget authority provided in an appropriations bill* (i.e., "total in the bill"), regardless of the year in which the funding becomes available.³ In some cases, the report breaks out "current year" appropriations (i.e., the amount of *budget authority available for obligation in a given fiscal year*, regardless of the year in which it was first appropriated).⁴

As the annual appropriations process unfolds, current year appropriations plus any additional adjustments for congressional scorekeeping are measured against 302(b) allocation ceilings (budget enforcement caps for appropriations subcommittees that traditionally emerge following the budget resolution process). Unless otherwise specified, appropriations levels displayed in this report do not reflect additional *scorekeeping adjustments*, which are made by the Congressional Budget Office (CBO) to reflect conventions and special instructions of Congress.⁵

they may violate parliamentary rules separating authorizations and appropriations. For more information, see CRS Report R42388, *The Congressional Appropriations Process: An Introduction*, by Jessica Tollestrup.

³ Such figures include advance appropriations provided in the bill for future fiscal years, but do not include advance appropriations provided in prior years' appropriations bills that become available in the current year.

⁴ Such figures exclude advance appropriations for future years, but include advance appropriations from prior years that become available in the current year.

⁵ For more information on scorekeeping, see CRS Report 98-560, *Baselines and Scorekeeping in the Federal Budget Process*, by Bill Heniff Jr. See also a discussion of key scorekeeping guidelines included in the joint explanatory statement accompanying the conference report to the Balanced Budget Act of 1997 (H.Rept. 105-217, pp. 1007-1014).

Status of FY2014 Appropriations

Table 1 provides a timeline of major legislative action toward full-year FY2014 L-HHS-ED appropriations for FY2014. The remainder of this section provides additional detail on these and other steps toward full-year L-HHS-ED appropriations.

Table 1. Status of Full-Year L-HHS-ED Appropriations Legislation, FY2014

Bill	Subcommittee Approval		Full Committee Approval		Initial Passage		Resolution of House and Senate Differences			Public Law
	House	Senate	House	Senate	House	Senate	Conf. Report	House	Senate	
H.R. 3547							explanatory materials inserted in <i>Congressional Record</i> ^a	1/15/14 356-67	1/16/14 72-26	1/17/14 P.L. 113-76
S. 1284	7/9/13 voice vote			7/11/13 S. 1284 S.Rept. 113-71 Vote: 16-14						

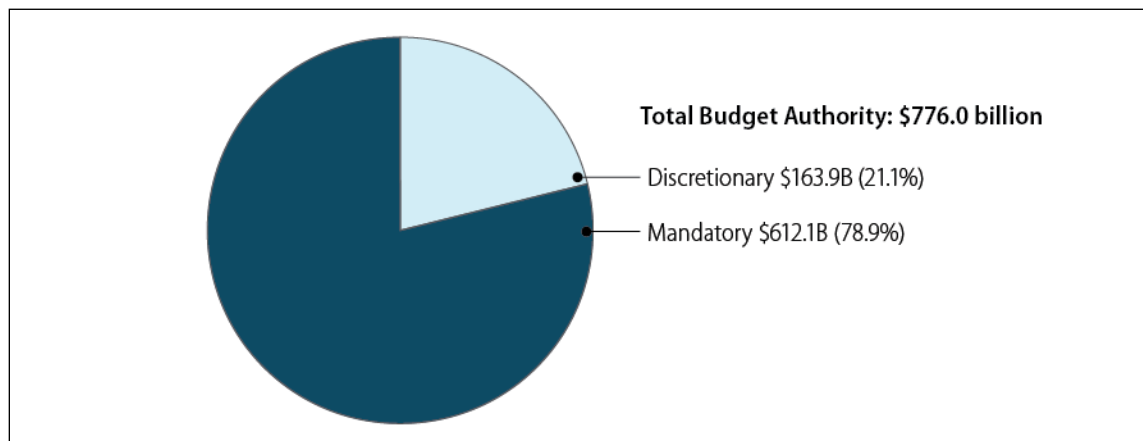
Source: CRS Appropriations Status Table.

- a. *Congressional Record*, Volume 160, Issue 9, Book II (January 15, 2014), pp. H475-H1215, <http://www.gpo.gov/fdsys/pkg/CREC-2014-01-15/content-detail.html>.

FY2014 Omnibus Appropriations

On January 17, 2014, President Obama signed into law the Consolidated Appropriations Act, 2014 (P.L. 113-76), providing omnibus appropriations for FY2014 (see Division H for L-HHS-ED). This law provided \$164 billion in discretionary funding for L-HHS-ED, which is about 4% more than the FY2013 post-sequester funding level (\$157 billion) and about 3% less than the FY2014 President's Budget request (\$171 billion). In addition, the FY2014 omnibus provided an estimated \$612 billion in mandatory L-HHS-ED funding, for a total of \$776 billion for L-HHS-ED as a whole. (See **Figure 1** for the breakdown of discretionary and mandatory L-HHS-ED appropriations in P.L. 113-76.)

The FY2014 omnibus followed two government-wide continuing resolutions (CRs), which had provided temporary funding earlier in the fiscal year (P.L. 113-46 and P.L. 113-73). However, no government-wide CR was in place at the beginning of the fiscal year (October 1), resulting in a funding gap and government shutdown for affected projects and activities until the first government-wide CR for FY2014 was enacted (more on this below).

Figure 1. FY2014 Omnibus Appropriations for Labor, HHS, ED, and Related Agencies

Source: CRS amounts are estimated based on data provided in the Joint Explanatory Statement accompanying the FY2014 omnibus (P.L. 113-76). For consistency with source materials, the FY2014 enacted levels do not reflect sequestration for nonexempt mandatory spending programs, where applicable.

Notes: BA = Budget Authority. Details may not add due to rounding. Amounts in this figure (1) reflect all BA appropriated in the bill, regardless of the year in which funds become available (i.e., totals do not include advances from prior year appropriations, but do include advances for subsequent years provided in this bill); (2) have generally not been adjusted to reflect scorekeeping; (3) comprise only those funds proposed for agencies and accounts subject to the jurisdiction of the Labor, HHS, Education Subcommittee of the Senate Committees on Appropriations; and (4) do not include direct appropriations that occur outside of appropriations bills.

FY2014 Funding Gap and Continuing Resolutions

FY2014 appropriations were not enacted prior to the start of the fiscal year on October 1, 2013.⁶ This resulted in a funding gap and government shutdown that lasted until a short-term CR was enacted on October 17, 2013 (P.L. 113-46).⁷ That CR provided government-wide funding through January 15, 2014. With limited exceptions, the CR generally funded discretionary programs (including those in the L-HHS-ED bill) at their FY2013 levels, post-rescission and post-sequestration.⁸ A second FY2014 CR was enacted on January 15 (P.L. 113-73). This CR maintained temporary, government-wide funding until the omnibus bill was signed by the President on January 17 (P.L. 113-76).

Between October 2 and October 15, prior to the resolution of the FY2014 funding gap, action on appropriations was generally limited to a number of narrow CRs to provide funding for certain programs or classes of individuals, including several components of the L-HHS-ED bill (e.g., H.J.Res. 73 would have provided funding for the National Institutes of Health, H.J.Res. 83 would have provided funding for Impact Aid, and H.J.Res. 84 would have provided funding for Head

⁶ An exception is that on September 30, an automatic continuing resolution was enacted to cover FY2014 pay and allowances for (1) certain members of the Armed Forces, (2) certain Department of Defense (DOD) civilian personnel, and (3) other specified DOD and Department of Homeland Security contractors (P.L. 113-39). For further information on automatic continuing resolutions, see CRS Report R41948, *Automatic Continuing Resolutions: Background and Overview of Recent Proposals*, by Jessica Tollestrup.

⁷ For further information with regard to continuing resolutions, see CRS Report R42647, *Continuing Resolutions: Overview of Components and Recent Practices*, by Jessica Tollestrup. For more information on funding gaps, see CRS Report RS20348, *Federal Funding Gaps: A Brief Overview*, by Jessica Tollestrup.

⁸ For more information, see CRS Report R43338, *Congressional Action on FY2014 Appropriations Measures*, by Jessica Tollestrup.

Start). However, none of the L-HHS-ED-related CRs were enacted into law. In the absence of appropriations, federal agencies generally implemented contingency plans for staffing and program operations during this 16-day funding gap.⁹

Congressional Actions on a Stand-Alone L-HHS-ED Bill

FY2014 Action in the Senate

On July 11, 2013, the Senate Committee on Appropriations reported a bill that would have provided full-year FY2014 L-HHS-ED appropriations (S. 1284, S.Rept. 113-71). Prior to this, on July 9, 2013, the L-HHS-ED Subcommittee of the Senate Committee on Appropriations had approved a draft bill for full committee consideration.

As reported by the full committee, S. 1284 would have provided \$171 billion in discretionary funding for L-HHS-ED. This is about 9% more than the FY2013 post-sequester funding level and about 1% more than the FY2014 President's request. In addition, the Senate committee bill would have provided an estimated \$613 billion in mandatory funding, for a combined total of nearly \$783 billion for L-HHS-ED as a whole.

FY2014 Action in the House

The House did not take action on a stand-alone FY2014 L-HHS-ED appropriations bill.

FY2014 President's Budget Request

On April 10, 2013, the Obama Administration released the FY2014 President's Budget. The President requested \$170 billion in discretionary funding for accounts funded by the L-HHS-ED bill (+8% from FY2013 post-sequester levels). In addition, the President's Budget requested roughly \$612 billion in annually appropriated mandatory funding, for a total of roughly \$782 billion (+4% from FY2013 post-sequester levels) for the L-HHS-ED bill as a whole.

Conclusion of the FY2013 Appropriations Process

On March 26, 2013, President Obama signed into law the Consolidated and Further Continuing Appropriations Act, 2013 (P.L. 113-6). This law funded five of the 12 regular appropriations bills (including L-HHS-ED) via a full-year CR in Division F. With limited exceptions, the full-year CR generally funded discretionary L-HHS-ED programs at their FY2012 levels, minus an across-the-board rescission of 0.2% per Section 3004, as implemented by the Office of Management and Budget (OMB).¹⁰ This is a lower level of funding than had been provided by an earlier six-month

⁹ Links to a number of agency contingency plans can be found at <http://www.whitehouse.gov/omb/contingency-plans>.

¹⁰ Section 3004 of P.L. 113-6 addressed the possibility that the new budget authority provided by the full-year FY2013 appropriations law might exceed the discretionary spending limits in Section 251(c)(2) of the Balanced Budget and Emergency Deficit Control Act. In such an event, Section 3004 called for across-the-board rescissions of nonsecurity and security budget authority. The law set the rates for such rescission at 0%, but called for the percentages to be adjusted if OMB determined that rescissions were necessary to avoid a budget enforcement sequester in FY2013. Subsequent to the enactment of P.L. 113-6, OMB determined that such rescissions would be required at the following rates: 0.032% for security funding and 0.2% of nonsecurity funds. L-HHS-ED funds fall exclusively within the nonsecurity category, meaning that discretionary L-HHS-ED funds provided by P.L. 113-6 were reduced by an across-the-board rescission of 0.2%. For further information, see OMB, *Consolidated and Further Continuing Appropriations Act, 2013, Budget Enforcement Act (7-Day-After Reports)*, April 4, 2013, p. 54, http://www.whitehouse.gov/sites/default/files/omb/assets/legislative_reports/7_day_after/bea_report_hr933_04-04-13.pdf.

CR for FY2013 (P.L. 112-175), which generally funded discretionary L-HHS-ED programs at FY2012 rates, plus 0.612%.

When taking into account the 0.2% across-the-board rescission required by Section 3004, as implemented by OMB, the final FY2013 CR provided roughly \$164 billion in discretionary funding for accounts traditionally funded by the L-HHS-ED bill. In addition, the law provided an estimated \$592 billion in mandatory funding for L-HHS-ED accounts, for a total of roughly \$757 billion. These FY2013 estimates are based on data in the committee report (S.Rept. 113-71) accompanying the FY2014 Senate committee bill (S. 1284) and *do not* account for the FY2013 sequester ordered by President Obama on March 1, 2013.

Where possible, this report breaks out FY2013 “operating levels” separately from the pre-sequester amounts provided by the full-year FY2013 CR. In this report, operating levels are generally based on agency operating or expenditure plans for FY2013 (or FY2013 levels displayed in FY2014 President’s Budget materials). For agencies funded in this bill, operating plans typically take into account the amounts provided in the FY2013 full-year CR (including, as appropriate, the 0.2% across-the-board rescission), reductions required by the FY2013 sequester, and transfers or reprogramming of funds across or within budget accounts pursuant to executive authorities. For more information on the FY2013 sequester, see related discussion in the **Appendix** to this report.

Note that in addition to amounts provided by P.L. 113-6, L-HHS-ED programs and activities received a total of \$827 million in supplemental funding in FY2013 (pre-sequester). These funds were appropriated by the Disaster Relief Appropriations Act, 2013 (P.L. 113-2) in response to the effects of Hurricane Sandy. The bulk of the L-HHS-ED disaster funding was directed to HHS for the Public Health and Social Services Emergency Fund, the Social Services Block Grant, and the Head Start program. FY2013 totals shown in this report do not include these supplemental funds.

Summary of FY2014 L-HHS-ED Appropriations

Dollars and Percentages in this Report

Funding totals displayed in this report are typically rounded to the nearest million or billion (as labeled). Dollar changes and percent changes discussed in the text of this report are based on unrounded amounts.

Funding levels in this report are generally drawn from (or estimated based on) amounts displayed in the Joint Explanatory Statement accompanying the FY2014 omnibus (P.L. 113-76), the committee report (S.Rept. 113-71) accompanying the Senate committee’s FY2014 L-HHS-ED bill (S. 1284), or publicly available agency operating plans or budget materials. Note that this report displays two sets of numbers for FY2013: pre-sequester “enacted” levels (which reflect the 0.2% across-the-board rescission, per the conventions of the Senate Appropriations Committee) and post-sequester “operating” levels (which reflect the FY2013 rescission, sequestration, and any transfers and reprogramming of funds, as reported by the agencies). For consistency with source materials, the FY2014 enacted levels in this report do not reflect sequestration for nonexempt mandatory spending programs, where applicable, or any transfers or reprogramming of funds that may have occurred after enactment, pursuant to executive authorities.

Table 2 displays the total amount of FY2014 discretionary and mandatory L-HHS-ED funding provided or proposed, by title, compared to comparable pre- and post-sequester FY2013 funding levels. The amounts shown in this table reflect total budget authority provided in the bill (i.e., all funds appropriated in the current bill, regardless of the fiscal year in which the funds become available), not total budget authority available for the current fiscal year. (For a comparable table showing current year budget authority, see **Table A-2** in the **Appendix** to this report.)

Table 2. L-HHS-ED Appropriations Overview by Bill Title, FY2013-FY2014

(Total BA provided in the bill, in billions of dollars)

Bill Title	FY2013 Enacted (pre-sequester, post-0.2% ATB)	FY2013 Operating (post-sequester, post-0.2% ATB, post-transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113-76)
Labor	14.15	13.48	14.64	14.60	14.2
Discretionary	12.47	11.85	12.50	12.46	12.0
Mandatory	1.681	1.633	2.141	2.146	2.1
HHS	602.96	599.36	623.14	625.81	621.1
Discretionary	69.90	66.41	72.50	74.66	70.4
Mandatory	533.06	532.95	550.64	551.15	550.6
Education	71.21	68.77	74.51	72.53	70.6
Discretionary	67.98	65.70	71.21	69.22	67.3
Mandatory	3.23	3.07	3.30	3.30	3.3
Related Agencies	68.30	67.82	69.53	70.42	70.1
Discretionary	13.82	13.34	13.47	14.37	14.1
Mandatory	54.48	54.48	56.05	56.05	56.0
Total BA in the Bill	756.62	749.44	781.81	783.37	776.0
Discretionary	164.16	157.30	169.68	170.72	163.9
Mandatory	592.46	592.14	612.13	612.65	612.1
Memoranda:					
Advances for Future Years (provided in current bill) ^a	153.79	153.79	152.88	151.46	151.46
Advances from Prior Years (for use in current year) ^a	136.87	136.84	153.78	153.78	153.79
Additional Scorekeeping Adjustments ^b	-7.12	-7.12	-3.87	-5.13	-6.16

Source: CRS amounts for FY2013 enacted and the FY2014 Senate committee-reported bill (S. 1284) were estimated based on data provided in S.Rept. 113-71, the committee report accompanying S. 1284. FY2013 operating levels were estimated based on agency operating plans, where available. In cases where operating plans were not available, FY2013 operating levels are as reported in FY2015 President's Budget materials. Operating estimates generally reflect reductions required as a result of the FY2013 sequester, as well as transfers and reprogramming of funds, as reported in agency operating plans or the FY2015 President's Budget. Amounts for the FY2014 President's request and the FY2014 omnibus (P.L. 113-76) were estimated based on the Joint Explanatory Statement accompanying the FY2014 omnibus. For consistency with source materials, the FY2014 enacted levels do not reflect sequestration for nonexempt mandatory spending programs, where applicable.

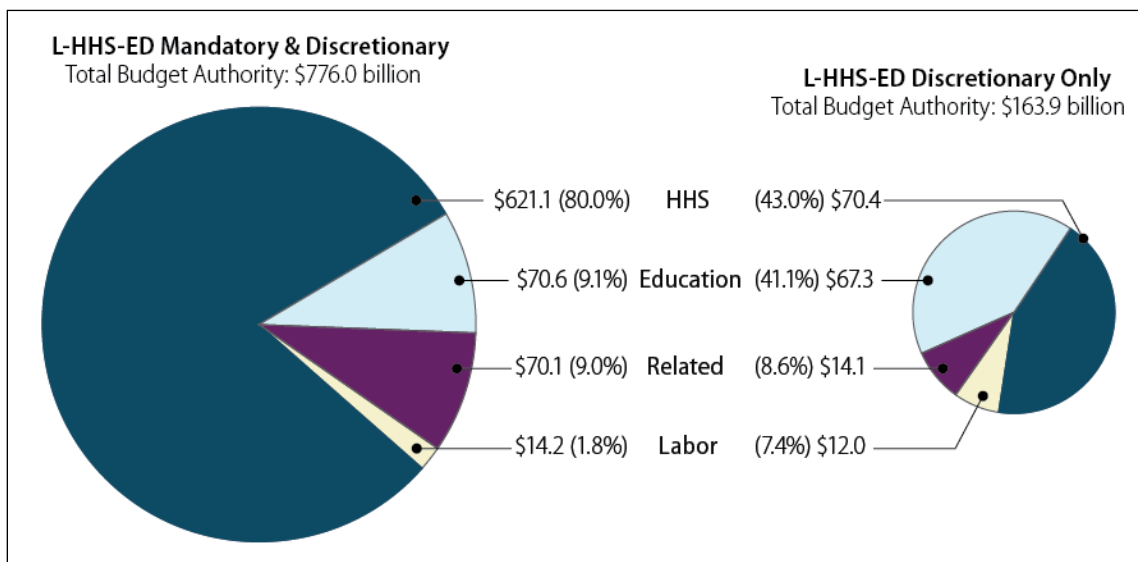
Notes: BA = Budget Authority. ATB = across-the-board rescission. Cmte = Committee. Details may not add due to rounding. Amounts in this table: (1) reflect all BA appropriated in the bill, regardless of the year in which funds become available (i.e., totals do not include advances from prior year appropriations, but do include advances for subsequent years provided in this bill); (2) have generally not been adjusted to reflect scorekeeping; (3) comprise only those funds provided (or requested) for agencies and accounts subject to the jurisdiction of the Labor, HHS, Education Subcommittee of the House and Senate Committees on Appropriations; and (4) do not include direct appropriations that occur outside of appropriations bills. FY2013 totals do not include supplemental funds provided by the Disaster Relief Appropriations Act, 2013 (P.L. 113-2).

- a. Totals in this table are based on budget authority provided in the bill (i.e., they exclude advance appropriations from prior bills and include advance appropriations from this bill made available in future years). The calculation for total budget authority available in the current year is as follows: Total BA Provided in the Bill minus Advances for Future Years plus Advances from Prior Years.
- b. Totals in this table have generally not been adjusted for scorekeeping. (To adjust for scorekeeping, add this line to the total budget authority.)

When taking into account both mandatory and discretionary funding, HHS received roughly 80% of total L-HHS-ED appropriations in FY2013 and FY2014 (see **Figure 2** for the bill composition in FY2014). This is largely due to the sizable amount of mandatory funds included in the HHS appropriation, the majority of which is for Medicaid grants to states and payments to health care trust funds. After HHS, the Department of Education and Related Agencies represent the next-largest shares of total L-HHS-ED funding, accounting for about 9% apiece in FY2013 and the FY2014 omnibus. The majority of appropriations for ED are discretionary, while the bulk of funding for the Related Agencies goes toward mandatory payments and administrative costs of the Supplemental Security Income program at the Social Security Administration. Finally, the Department of Labor accounts for the smallest share of total L-HHS-ED funds: 2% in FY2013 and the FY2014 omnibus.

When looking only at discretionary appropriations, however, the overall composition of L-HHS-ED funding is noticeably different (see **Figure 2**). HHS accounts for a smaller share of discretionary appropriations (43% in FY2013 and the FY2014 omnibus), while ED accounts for a larger share (41% in FY2013 and the FY2014 omnibus). Together, these two departments represent the majority (84%) of discretionary L-HHS-ED appropriations in FY2013 and FY2014. Meanwhile, the Department of Labor and Related Agencies combine to account for a roughly even split of the remaining 16% of discretionary L-HHS-ED funds in FY2013 and FY2014.

Figure 2. FY2014 L-HHS-ED Appropriations, by Title, from P.L. 113-76



Source: CRS amounts are estimated based on data provided in the Joint Explanatory Statement accompanying the FY2014 omnibus (P.L. 113-76). For consistency with source materials, the FY2014 enacted levels do not reflect sequestration for nonexempt mandatory spending programs, where applicable.

Notes: BA = Budget Authority. Details may not add due to rounding. Amounts in this figure: (1) reflect all BA appropriated in the bill, regardless of the year in which funds become available (i.e., totals do not include advances from prior year appropriations, but do include advances for subsequent years provided in this bill); (2) have generally not been adjusted to reflect scorekeeping; (3) comprise only those funds proposed for agencies

and accounts subject to the jurisdiction of the Labor, HHS, Education Subcommittee of the Senate Committees on Appropriations; and (4) do not include direct appropriations that occur outside of appropriations bills.

Department of Labor (DOL)

Note that all figures in this section are based on regular L-HHS-ED appropriations only; they do not include funds provided outside of the annual appropriations process (e.g., direct appropriations for Unemployment Insurance benefits payments). All amounts in this section are rounded to the nearest million or billion (as labeled). The dollar changes and percent changes discussed in the text are based on unrounded amounts.

About DOL

DOL is a federal department comprised of multiple entities that provide services related to employment and training, worker protection, income security, and contract enforcement. Annual L-HHS-ED appropriations laws direct funding to all DOL entities (see box for all entities supported by the L-HHS-ED bill).¹² The DOL entities fall primarily into two main functional areas—workforce development and worker protection. First, there are several DOL entities that administer workforce employment and training programs, such as the Workforce Investment Act (WIA) state formula grant programs, Job Corps, and the Employment Service, that provide direct funding for employment activities or administration of income security programs (e.g., for the Unemployment Insurance benefits program).

Also included in this area is the Veterans' Employment and Training Service (VETS), which provides employment services specifically for the veteran population. Second, there are several agencies that provide various worker protection services. For example, the Occupational Safety and Health Administration (OSHA), the Mine Safety and Health Administration (MSHA), and the Wage and Hour Division provide different types of regulation and oversight of working conditions. DOL entities focused on worker protection provide services to ensure worker safety, adherence to wage and overtime laws, and contract compliance, among other duties. In addition to these two main functional areas, the DOL's Bureau of Labor Statistics (BLS) collects data and provides analysis on the labor market and related labor issues.

DOL Entities Funded Via the L-HHS-ED Appropriations Process

Employment and Training Administration (ETA)
Employee Benefits Security Administration (EBSA)
Wage and Hour Division (WHD)
Office of Federal Contract Compliance Programs (OFCCP)
Office of Labor-Management Standards (OLMS)
Office of Workers' Compensation Programs (OWCP)
Occupational Safety and Health Administration (OSHA)
Mine Safety and Health Administration (MSHA)
Bureau of Labor Statistics (BLS)
Office of Disability Employment Policy (ODEP)
Departmental Management (DM)¹¹

FY2014 DOL Appropriations Overview

The FY2014 omnibus provided roughly \$14.18 billion in combined mandatory and discretionary funding for DOL. This is about \$703 million (+5.2%) more than the FY2013 post-sequester

¹¹ Departmental Management includes the Veterans Employment and Training Service (VETS), IT Modernization, and the Office of the Inspector General.

¹² The Pension Benefit Guaranty Corporation (PBGC) is funded primarily through insurance premiums and related fees from companies covered by the PBGC.

funding level and \$457 million (-3.1%) less than the FY2014 request. (See **Table 3.**) Of the total provided for DOL in the FY2014 omnibus, roughly \$12.04 billion (85%) is discretionary. This amount is \$195 million (+1.6%) more than the post-sequester FY2013 discretionary funding level and \$457 million (-3.7%) less than the discretionary total requested in the FY2014 President's Budget.

Table 3. DOL Appropriations Overview

(billions of dollars)

Funding	FY2013 Enacted (pre-sequester, post-0.2% ATB)	FY2013 Operating (post-sequester, post-0.2% ATB, post-transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113-76)
Discretionary	12.47	11.85	12.50	12.46	12.04
Mandatory	1.68	1.63	2.14	2.15	2.14
Total BA in the Bill	14.15	13.48	14.64	14.60	14.18

Source: CRS amounts for FY2013 enacted and the FY2014 Senate committee-reported bill (S. 1284) were estimated based on data provided in S.Rept. 113-71, the committee report accompanying S. 1284. FY2013 operating levels were estimated based on DOL's FY2013 operating plan, which is available at <http://www.dol.gov/dol/budget/2014/PDF/2013OperatingPlanTable.pdf>. Operating estimates reflect reductions required as a result of the FY2013 sequester, as well as any transfers and reprogramming of funds, as reported by DOL. Amounts for the FY2014 President's request and the FY2014 omnibus (P.L. 113-76) were estimated based on the Joint Explanatory Statement accompanying the FY2014 omnibus. For consistency with source materials, the FY2014 enacted levels do not reflect sequestration for nonexempt mandatory spending programs, where applicable.

Notes: BA = Budget Authority. ATB = across-the-board rescission. Cmte = Committee. Details may not add due to rounding. Amounts in this table: (1) reflect all BA appropriated in the bill, regardless of the year in which funds become available (i.e., totals do not include advances from prior year appropriations, but do include advances for subsequent years provided in this bill); (2) have generally not been adjusted to reflect scorekeeping; (3) comprise only those funds provided (or requested) for agencies and accounts subject to the jurisdiction of the Labor, HHS, Education Subcommittee of the House and Senate Committees on Appropriations; and (4) do not include direct appropriations that occur outside of appropriations bills. FY2013 totals do not include supplemental funds provided by the Disaster Relief Appropriations Act, 2013 (P.L. 113-2).

Selected DOL Highlights from FY2014 Appropriations Action

The following are some DOL highlights from the FY2014 omnibus compared to comparable FY2013 funding levels and proposed funding levels from the FY2014 President's Budget.¹³

Employment and Training Administration (ETA)

Overall, the law provided \$4.8 billion for programs authorized under Title I of the Workforce Investment Act (WIA), which is \$202 million more than the post-sequester FY2013 funding level and \$115 million less than the Administration's FY2014 request. The FY2014 omnibus also changed a provision started in the FY2011 appropriations law, which limits the Governors' reserve of WIA state formula grants to 5% of the total received from the three state formula

¹³ DOL budget materials can be found at <http://www.dol.gov/dol/aboutdol/#budget>. OMB budget materials can be found at <http://www.whitehouse.gov/omb/budget>. For detailed information on DOL funding levels recommended by the FY2014 Senate committee bill (S. 1284), see the committee report accompanying the bill (S.Rept. 113-71). For detailed information on DOL funding levels in the FY2014 omnibus (P.L. 113-76), see the Joint Explanatory Statement published in the *Congressional Record*, vol. 160, no. 9, Book II (January 15, 2014), pp. H475-H1215.

grants—Adult, Youth, and Dislocated Workers. The statutory limit is 15%, but the FY2011 appropriations law reduced this to 5% and the FY2012 and FY2013 appropriations laws maintained the 5% limitation. The FY2014 omnibus increased this reserve to 8.75% of the WIA state formula grant funds.

The law also altered the manner in which program evaluation is funded. Rather than providing a specific appropriation of funds for the purpose of evaluation, the bill allowed the Secretary of Labor to reserve up to 0.5% of each appropriation made available in certain accounts for the purpose of program evaluation.¹⁴

Finally, the law provided the Community Service Employment for Older Americans (CSEOA) Program with \$434 million. The law maintained DOL administration of CSEOA, rejecting a proposal from the FY2014 President's Budget to transfer administration of the program to HHS.

Veterans Employment and Training (VETS)

The law specified funding levels for particular activities within the Veterans' Employment and Training Service (VETS), as opposed to past practice of not specifying amounts for individual activities. In addition, the enacted bill provided authority to the Secretary to reallocate funds within VETS, not to exceed 3% of the appropriation from which the reallocation is made.

Bureau of Labor Statistics (BLS)

The joint explanatory statement accompanying the law indicated that the law provides funding necessary to ensure that data collection under the National Longitudinal Surveys of Labor Market Experience (NLS) occurs not less than biennially. In addition, the joint explanatory statement encouraged BLS to add an annual supplement to the Current Population Survey to include contingent work and alternative work arrangements.

Table 4. Detailed Department of Labor Appropriations

(dollars in millions)

Agency or Selected Program	FY2013 Enacted (pre- sequester, post-0.2% ATB)	FY2013 Operating (post-sequester, post-0.2% ATB, post-transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113-76)
Employment and Training Administration (ETA)—mandatory^a	797	756	1,256	1,256	1,256
Employment and Training Administration (ETA)—discretionary	9,524	9,053	9,440	9,423	9,120

¹⁴ These accounts include Training and Employment Services, Office of Job Corps, Community Service Employment for Older Americans, State Unemployment Insurance and Employment Service Operations, Employee Benefits Security Administration, Office of Workers' Compensation Programs, Wage and Hour Division, Office of Federal Contract Compliance Programs, Office of Labor Management Standards, Occupational Safety and Health Administration, Mine Safety and Health Administration, Departmental Management (for the Bureau of International Affairs and the Women's Bureau only), and Veterans Employment and Training.

Agency or Selected Program	FY2013 Enacted (pre- sequester, post-0.2% ATB)	FY2013 Operating (post-sequester, post-0.2% ATB, post-transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113-76)
<u>Discretionary ETA Programs:</u>					
Training and Employment Services:	3,212	3,062	3,387	3,264	2,588
Adult Activities Grants to States	769	731	792	792	766
Youth Activities Grants to States	823	781	847	847	820
Dislocated Worker Activities (DWA) Grants to States	1,006	956	1,045	1,045	1,002
<u>Federally Administered Programs:</u>	486	473	582	488	475
DWA National Reserve	224	224	221	221	221
Native Americans	47	45	48	47	46
Migrant and Seasonal Farmworkers	84	80	84	84	82
Women in Apprenticeship	1	1	0	1	1
YouthBuild	80	76	80	85	78
Workforce Innovation Fund	50	47	150	50	47
<u>National Activities:</u>	103	98	121	93	86
Pilots, Demonstrations, and Research	7	6	25	7	0
Reintegration of Ex-Offenders	80	76	90	80	80
Evaluation	10	9	0	0	0
Workforce Data Quality Initiative	6	6	6	6	6
Job Corps	1,700	1,614	1,692	1,707	1,688
Community Service Employment for Older Americans ^b	447	425	380	447	434
<u>State Unemployment Insurance and Employment Service Operations (SUI/ESO):</u>	4,019	3,813	3,826	3,848	3,698
Unemployment Compensation	3,170	3,007	2,918	2,968	2,892
Employment Service	720	684	752	752	684
Foreign Labor Certification	65	62	66	65	62
One-Stop Career Centers	63	60	90	63	60
State Paid Leave Fund	0	0	5	5	0
ETA Program Administration	147	139	150	152	151
Employee Benefits Security Administration	183	174	179	176	179
Pension Benefit Guaranty Corporation, program level (non-add)	(477)	(471)	(505)	(505)	(505)
Wage and Hour Division	227	215	243	243	224
Office of Labor-Management Standards (OLMS)	41	39	47	41	39
Office of Federal Contract Compliance Programs	105	100	108	106	105

Agency or Selected Program	FY2013 Enacted (pre- sequester, post-0.2% ATB)	FY2013 Operating (post-sequester, post-0.2% ATB, post-transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113-76)
Office of Workers' Compensation Programs—mandatory^c	884	877	885	885	901
Office of Workers' Compensation Programs—discretionary	118	112	121	118	112
Occupational Safety and Health Administration (OSHA)	564	535	571	567	552
Mine Safety and Health Administration (MSHA)	373	354	381	381	376
Bureau of Labor Statistics	608	577	614	610	592
Office of Disability Employment Policy	39	37	42	42	38
Departmental Management	713	677	755	750	707
Salaries and Expenses	346	328	348	347	337
<i>International Labor Affairs (non-add)</i>	(92)	(87)	(95)	(95)	(91)
Veterans Employment and Training	264	251	301	301	270
IT Modernization	20	19	21	20	20
Office of the Inspector General	84	79	86	84	80
Total, DOL BA in the Bill	14,150	13,482	14,641	14,604	14,185
Subtotal, Mandatory	1,681	1,633	2,141	2,146	2,141
Subtotal, Discretionary	12,468	11,849	12,500	12,458	12,044
Memoranda					
Total, BA Available in Fiscal Year (current year from any bill)	14,151	13,481	14,657	14,615	14,201
Total, BA Advances for Future Years (provided in current bill)	1,812	1,812	1,796	1,796	1,796
Total, BA Advances from Prior Years (for use in current year)	1,813	1,812	1,812	1,807	1,812

Source: CRS amounts for FY2013 enacted and the FY2014 Senate committee-reported bill (S. 1284) were estimated based on data provided in S.Rept. 113-71, the committee report accompanying S. 1284. FY2013 operating levels were estimated based on DOL's FY2013 operating plan, which is available at <http://www.dol.gov/dol/budget/2014/PDF/2013OperatingPlanTable.pdf>. Operating estimates reflect reductions required as a result of the FY2013 sequester, as well as any transfers and reprogramming of funds, as reported by DOL. Amounts for the FY2014 President's request and the FY2014 omnibus (P.L. 113-76) were estimated based on the Joint Explanatory Statement accompanying the FY2014 omnibus. For consistency with source materials, the FY2014 enacted levels do not reflect sequestration for nonexempt mandatory spending programs, where applicable, or any transfers or reprogramming of funds that may have occurred pursuant to executive authorities.

Notes: BA = Budget Authority. ATB = across-the-board rescission. Cmte = Committee. Details may not add due to rounding. Amounts in this table: (1) reflect all BA appropriated in the bill, regardless of the year in which funds become available (i.e., totals do not include advances from prior year appropriations, but do include advances for subsequent years provided in this bill); (2) have generally not been adjusted to reflect scorekeeping; (3) comprise only those funds provided (or requested) for agencies and accounts subject to the jurisdiction of the Labor, HHS, Education Subcommittee of the House and Senate Committees on Appropriations; and (4) do not include direct appropriations that occur outside of appropriations bills. Non-add amounts are displayed in

italics and parentheses; these amounts are not part of the appropriations totals. FY2013 totals do not include supplemental funds provided by the Disaster Relief Appropriations Act, 2013 (P.L. 113-2).

- a. Mandatory amounts for ETA include funding for Federal Unemployment Benefits and Allowances and for Advances to Unemployment Insurance and Other Trust Funds.
- b. This program is currently administered by the Department of Labor. The FY2014 President's Budget proposed transferring the program to HHS, but the Senate committee-reported bill and the FY2014 omnibus rejected this proposal.
- c. Mandatory amounts for federal programs for workers' compensation include mandatory funding for benefits under the Federal Employees' Compensation Act program, the Longshore and Harbor Workers' Compensation Act program, Special Benefits for Disabled Coal Miners, administrative expenses for the Energy Employees Occupational Illness Compensation Fund, and the Black Lung Disability Trust Fund.

Department of Health and Human Services (HHS)

Note that all figures in this section are based on regular L-HHS-ED appropriations only; they do not include funds for HHS agencies provided through other appropriations bills (e.g., funding for the Food and Drug Administration) or outside of the annual appropriations process (e.g., direct appropriations for Medicare or pre-appropriated mandatory funds provided by authorizing laws, such as the Patient Protection and Affordable Care Act [ACA, P.L. 111-148]).¹⁵ All amounts in this section are rounded to the nearest million or billion (as labeled). The dollar changes and percent changes discussed in the text are based on unrounded amounts.

About HHS

HHS is a sprawling federal department comprised of multiple agencies working to enhance the health and well-being of Americans. Annual L-HHS-ED appropriations laws direct funding to most (but not all) HHS agencies (see box for all agencies supported by the L-HHS-ED bill).¹⁶ For instance, the L-HHS-ED bill directs funding to five Public Health Service (PHS) agencies: HRSA, CDC, NIH, SAMHSA, and AHRQ.¹⁷ These public health agencies support diverse missions, ranging from the provision of health care services and supports (e.g., HRSA, SAMHSA), to the advancement of health care quality and medical research (e.g., AHRQ, NIH), to the prevention and control of infectious and chronic disease (e.g., CDC). In addition, the L-HHS-ED bill provides funding for annually appropriated components of CMS,¹⁸ which is the HHS agency responsible for the administration of Medicare, Medicaid, and the State Children's Health Insurance Program (CHIP), and consumer protections and private health insurance provisions of the ACA. The L-HHS-ED bill also provides funding for two HHS agencies focused

¹⁵ The ACA was subsequently amended by the Health Care and Education Reconciliation Act (P.L. 111-152). These two laws are collectively referred to as the ACA in this report. (Previous CRS reports on the Patient Protection and Affordable Care Act used the acronym PPACA to refer to the statute, but newer reports will use "ACA," in conformance with the more widely used acronym for the law.) For information on funding directly appropriated by ACA, see the tables in CRS Report R41301, *Appropriations and Fund Transfers in the Affordable Care Act (ACA)*, by C. Stephen Redhead.

¹⁶ Three HHS public health agencies receive annual funding from appropriations bills other than the L-HHS-ED bill: the Food and Drug Administration (Agriculture appropriations bill), the Indian Health Service (Interior-Environment appropriations bill), and the Agency for Toxic Substances and Disease Registry (Interior-Environment appropriations bill).

¹⁷ For more information on HHS PHS agencies, see CRS Report R43304, *Public Health Service Agencies: Overview and Funding*, coordinated by C. Stephen Redhead.

¹⁸ Much of the funding for CMS activities is directly appropriated in authorizing legislation and thus is not subject to the annual appropriations process.

primarily on the provision of social services: ACF and ACL. The mission of ACF is to promote the economic and social well-being of vulnerable children, youth, families, and communities. Meanwhile, ACL was formed with a goal of increasing access to community supports for older Americans and people with disabilities. Notably, ACL is a relatively new agency within HHS—it was established in April 2012 and brings together the Administration on Aging, the Office of Disability, and the Administration on Developmental Disabilities (renamed the Administration on Intellectual and Developmental Disabilities) into one agency.¹⁹ Finally, the L-HHS-ED bill also provides funding for the HHS Office of the Secretary, which encompasses a broad array of management, research, oversight, and emergency preparedness functions in support of the entire department.

FY2014 HHS Appropriations Overview

The FY2014 omnibus provided roughly \$621 billion in combined mandatory and discretionary funding for HHS. This is about \$22 million (+3.6%) more than the FY2013 post-sequester funding level and \$2 million (-0.3%) less than the FY2014 request. (See **Table 5**.) Of the total provided for HHS in the FY2014 omnibus, roughly \$70 billion (11%) is discretionary. This is \$4 million (+6.1%) more than the post-sequester FY2013 discretionary funding level and \$2 million (-2.9%) less than the discretionary amount requested in the FY2014 President's Budget.

HHS Agencies Funded Via the L-HHS-ED Appropriations Process

Health Resources and Services Administration (HRSA)
Centers for Disease Control and Prevention (CDC)
National Institutes of Health (NIH)
Substance Abuse and Mental Health Services Administration (SAMHSA)
Agency for Healthcare Research and Quality (AHRQ)
Centers for Medicare & Medicaid Services (CMS)
Administration for Children and Families (ACF)
Administration for Community Living (ACL)
Office of the Secretary (OS)

Table 5. HHS Appropriations Overview

(dollars in billions)

Funding	FY2013 Enacted (pre-sequester, post-0.2% ATB)	FY2013 Operating (post-sequester, post-0.2% ATB, post-transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113-76)
Discretionary	69.90	66.41	72.50	74.66	70.44
Mandatory	533.06	532.95	550.64	551.15	550.64
Total BA in the Bill	602.96	599.36	623.14	625.81	621.08

Source: CRS amounts for FY2013 enacted and the FY2014 Senate committee-reported bill (S. 1284) were estimated based on data provided in S.Rept. 113-71, the committee report accompanying S. 1284. FY2013 operating levels were largely estimated based on FY2013 operating plans for HHS agencies, which are available at <http://www.hhs.gov/budget/fy2013/index.html> (scroll to bottom for FY2013 Agency Operating Plans). Operating estimates reflect reductions required as a result of the FY2013 sequester, as well as any transfers and reprogramming of funds reported by HHS in these operating plans. Amounts for the FY2014 President's request and the FY2014 omnibus (P.L. 113-76) were estimated based on the Joint Explanatory Statement accompanying

¹⁹ See the Secretary's press release from April 16, 2012: <http://www.hhs.gov/news/press/2012pres/04/20120416a.html>. For more information on the ACL, see <http://www.hhs.gov/acl/>.

the FY2014 omnibus. For consistency with source materials, the FY2014 enacted levels do not reflect sequestration for nonexempt mandatory spending programs, where applicable.

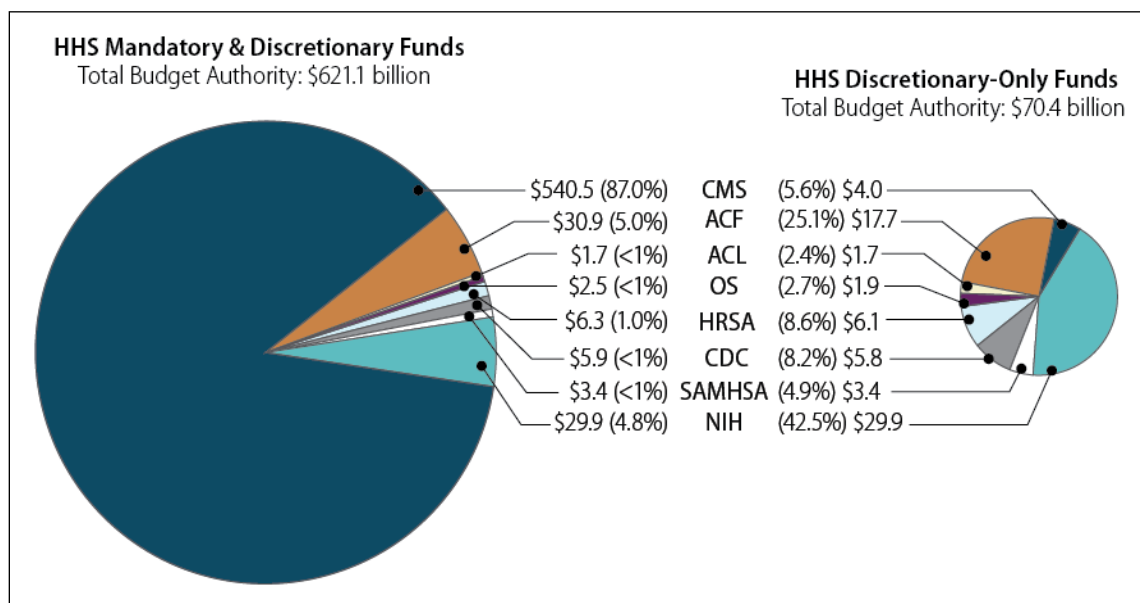
Notes: BA = Budget Authority. ATB = across-the-board rescission. Cmte = Committee. Details may not add due to rounding. Amounts in this table: (1) reflect all BA appropriated in the bill, regardless of the year in which funds become available (i.e., totals do not include advances from prior year appropriations, but do include advances for subsequent years provided in this bill); (2) have generally not been adjusted to reflect scorekeeping; (3) comprise only those funds provided (or requested) for agencies and accounts subject to the jurisdiction of the Labor, HHS, Education Subcommittee of the House and Senate Committees on Appropriations; and (4) do not include direct appropriations that occur outside of appropriations bills. FY2013 totals do not include supplemental funds provided by the Disaster Relief Appropriations Act, 2013 (P.L. 113-2).

Annual HHS appropriations are dominated by mandatory funding, the majority of which goes to CMS to provide Medicaid benefits and payments to health care trust funds. When taking into account both mandatory and discretionary funding, CMS accounted for roughly 87% of all HHS appropriations in FY2013 and FY2014. NIH and ACF account for the next largest shares of total HHS appropriations, receiving 5% apiece of total HHS appropriations in FY2013 and FY2014.

By contrast, when looking exclusively at discretionary appropriations, CMS constituted only 6% of discretionary HHS appropriations in FY2013 and FY2014. Instead, the bulk of discretionary appropriations go toward the PHS agencies, which combined to account for over 60% of discretionary HHS appropriations in FY2013 and FY2014. NIH typically receives the largest share of all discretionary funding among HHS agencies (over 40% in FY2013 and FY2014), with ACF accounting for the second-largest share of all discretionary appropriations (24% in FY2013 and 25% in FY2014).

See **Figure 3** for an agency-level breakdown of HHS appropriations (combined mandatory and discretionary) in the FY2014 omnibus.

Figure 3. FY2014 HHS Appropriations in P.L. 113-76 by Agency



Source: CRS amounts are estimated based on data provided in the Joint Explanatory Statement accompanying the FY2014 omnibus (P.L. 113-76). For consistency with source materials, the FY2014 enacted levels do not reflect sequestration for nonexempt mandatory spending programs, where applicable, or any transfers or reprogramming of funds that may have occurred pursuant to executive authorities.

Notes: BA = Budget Authority. Details may not add due to rounding. Amounts in this figure: (1) reflect all BA appropriated in the bill, regardless of the year in which funds become available (i.e., totals do not include

advances from prior year appropriations, but do include advances for subsequent years provided in this bill); (2) have generally not been adjusted to reflect scorekeeping; (3) comprise only those funds proposed for agencies and accounts subject to the jurisdiction of the Labor, HHS, Education Subcommittee of the Senate Committees on Appropriations; and (4) do not include direct appropriations that occur outside of appropriations bills.

Selected HHS Highlights from FY2014 Appropriations Actions

This section discusses several important aspects of discretionary HHS appropriations. First, it provides an introduction to two special funding mechanisms included in the public health budget, the Public Health Service Evaluation Set-Aside and the Prevention and Public Health Fund. Next, it reviews a limited selection of FY2014 discretionary funding highlights across HHS. Finally, the section concludes with a brief overview of significant provisions from annual HHS appropriations laws that restrict spending in certain controversial areas, such as abortion and stem cell research.

Public Health Service Evaluation Tap

The Public Health Service (PHS) Evaluation Set-Aside, also known as the PHS Evaluation Tap, is a unique feature of HHS appropriations.²⁰ The Evaluation Tap, which is authorized by Section 241 of the PHS Act, allows the Secretary of HHS, with the approval of appropriators, to redistribute a portion of eligible PHS agency appropriations across HHS for program evaluation purposes. The PHS Act limits the set-aside to 1% of eligible program appropriations. However, in recent years, L-HHS-ED appropriations laws have established a higher maximum percentage for the set-aside and have distributed specific amounts of “tap” funding to selected HHS programs. The tap provides more than a dozen HHS programs with funding beyond their regular appropriations and, in some cases, the tap may be the sole source of funding for a program or activity. The FY2014 omnibus maintained the set-aside level at 2.5% of eligible appropriations, the same percentage as FY2013. The omnibus rejected the FY2014 President’s Budget proposal to increase the set-aside to 3.0%.

Prevention and Public Health Fund²¹

The Patient Protection and Affordable Care Act (ACA) authorized and directly appropriated funding for three multi-billion dollar trust funds to support programs and activities within the PHS agencies.²² One of these, the Prevention and Public Health Fund (PPHF, ACA Section 4002, as amended), is intended to provide support each year to prevention, wellness, and related public health programs funded through HHS accounts. For FY2014, the ACA directly appropriated \$1.5 billion in mandatory funds to the PPHF. However, Congress subsequently passed the Middle Class Tax Relief and Job Creation Act of 2012, which reduced ACA’s annual appropriations to the PPHF over the period FY2013-FY2021 by a total of \$6.25 billion.²³ This reduced the FY2014 PPHF appropriation to \$1 billion.

PPHF funds are intended to supplement, sometimes quite substantially, the funding that selected programs receive through regular appropriations, as well as to fund new programs, particularly programs newly authorized in ACA. Congress may direct the Secretary to allocate PPHF funds to specific accounts. Otherwise, PPHF funds become available to the Secretary on October 1 of each

²⁰ The PHS Evaluation Tap is authorized in §241 of the PHS Act (42 U.S.C. §238j).

²¹ For more information about the PPHF, see CRS Report R43046, *H.R. 1549: Helping Sick Americans Now Act*, by Sarah A. Lister, Bernadette Fernandez, and Annie L. Mach.

²² For more information, see CRS Report R41301, *Appropriations and Fund Transfers in the Affordable Care Act (ACA)*, by C. Stephen Redhead.

²³ P.L. 112-96, Section 3205.

year, for allocation as the Secretary decides. The FY2014 President's Budget included the Administration's proposed distribution of PPHF funds. The Joint Explanatory Statement accompanying the FY2014 omnibus recommended PPHF allocations that would, similar to prior years, distribute most of the funds to CDC, including \$160 million for Immunization and Respiratory Diseases and \$446 million for Chronic Disease Prevention and Health Promotion.

HHS Highlights by Agency

The discussion below reviews a limited selection of FY2014 discretionary funding highlights for programs supported by the HHS agencies funded in this bill. The discussion is largely based on the FY2014 omnibus, compared to FY2013 post-sequester funding levels and proposed funding levels from the FY2014 President's Budget.²⁴

HRSA

The FY2014 omnibus provided \$6.1 billion in discretionary funding for HRSA. This amount is \$200 million (+3.4%) more than the FY2013 post-sequester funding level and \$39 million (+0.7%) more than the FY2014 President's request. The increases provided in the omnibus generally affected most HRSA programs, with Health Professions (Title VII) programs receiving the largest proportional increase (12% more than post-sequester FY2013 levels).

The omnibus enacted the FY2014 President's Budget proposal to transfer administration of the Health Education Assistance Loan (HEAL) program from HRSA to the Department of Education.²⁵ However, the omnibus rejected several President's Budget proposals to eliminate discretionary appropriations for three programs—Heritable Disorders, Poison Control Centers, and Universal Newborn Hearing Screening—and to fund these programs exclusively with PPHF transfers at or near FY2013 pre-sequester levels. Instead, the omnibus provided discretionary funding for these programs at or slightly above FY2013 post-sequester levels. The omnibus did not fund the Pediatric Loan Repayment program, which was authorized in the ACA but has not yet been funded; both the President's Budget and Senate committee-reported bill proposed funding this program at \$5 million. Consistent with recent practice, the FY2014 omnibus provided no funding for the National Health Service Corps (NHSC). The NHSC has not received discretionary appropriations in the Labor-HHS-ED bill since FY2011. Instead, the NHSC has been supported with funds that were authorized and directly appropriated by the ACA.²⁶

CDC

The FY2014 omnibus provided \$5.8 billion in discretionary funding for CDC. This amount is \$370 million (+6.8%) more than the FY2013 post-sequester funding level and \$591 million (+11.3%) more than the FY2014 President's request. The omnibus increased discretionary budget authority for many programs including Environmental Health (+43.7% from post-sequester

²⁴ For a full list of HHS proposals from the President's Budget, see FY2014 budget documents prepared by HHS and the Office of Management and Budget (OMB). HHS budget materials can be found at <http://www.hhs.gov/budget/>. OMB budget materials can be found at <http://www.whitehouse.gov/omb/budget>. For detailed information on HHS funding levels recommended by the FY2014 Senate committee bill (S. 1284), see the committee report accompanying the bill (S.Rept. 113-71). For detailed information on HHS funding levels in the FY2014 omnibus (P.L. 113-76), see the Joint Explanatory Statement published in the *Congressional Record*, vol. 160, no. 9, Book II (January 15, 2014), pp. H475-H1215.

²⁵ Funding for HEAL is included in HRSA totals in all columns for tables in this report, in accordance with the conventions used in the Joint Explanatory Statement accompanying the FY2014 omnibus (P.L. 113-76) and the committee report (S.Rept. 113-71) accompanying the Senate committee's FY2014 L-HHS-ED bill (S. 1284).

²⁶ Community Health Center Fund, ACA Section 10503(a)-(b).

levels); Emerging and Zoonotic Infectious Diseases (+16.4% from post-sequester levels); Global Health (+16.2% from post-sequester levels); and Injury Prevention and Control (+9.0% from post-sequester levels). The omnibus called for an increase in PPHF transfers to Chronic Disease and Health Promotion programs (+91% from FY2013) sufficient to more than make up for the decrease in discretionary appropriations (-3.8% from post-sequester levels).

In FY2014, a share of the funds appropriated for CDC-wide activities (roughly \$380 million) will support business services and implementation of the CDC Working Capital Fund (WCF). The WCF was first established in the FY2012 appropriations law (P.L. 112-74) as a revolving fund for consolidated business services. Readers should be aware that amounts requested for CDC programs in the FY2014 President's Budget (as shown in **Table 7**) are not comparable to amounts shown in other columns due to differing display conventions related to WCF funding. The President's request embedded WCF funds within the line items for the various CDC programs and activities being supported by the WCF, while all other columns consolidate total WCF funding into the larger CDC-wide activities line item.

NIH

The omnibus provided \$29.9 billion in discretionary budget authority for NIH. This is \$1 billion (+3.5%) more than FY2013 post-sequester operating levels and \$1.2 billion (-3.8%) less than the President's request. The omnibus provided most of the NIH Institutes and Centers with an increase of 3% compared to their FY2013 post-sequester operating levels. However, the omnibus provided larger increases (relative to FY2013 post-sequester levels) for selected Institutes and Centers, including the National Institute on Aging (+13%) to boost Alzheimer's disease research funding, and the National Center for Advancing Translational Sciences (+17%), allowing up to \$9.8 million for the Cures Acceleration Network.

SAMHSA

The omnibus provided \$3.4 billion in discretionary funding for SAMHSA. This is \$3 million (+2%) more than FY2013 post-sequester operating levels and \$32 million (-19%) less than the President's request. The Joint Explanatory Statement accompanying the omnibus directed \$374 million (+38% from FY2013 post-sequester levels) to SAMHSA's Mental Health Programs of Regional and National Significance (PRNS) and \$463 million (+11% from FY2013 post-sequester levels) to the Mental Health Block Grant (MHBG). According to the Joint Explanatory Statement, the MHBG is to be augmented with an additional \$21 million from the PHS Evaluation Tap. Further, the omnibus called for a new 5% set-aside within the MHBG for evidence-based programs addressing the needs of individuals with early serious mental illness, including psychotic disorders. The omnibus also authorized SAMHSA to collect user fees for certain costs of publications, data, and data analysis. Previously, SAMHSA had no such authority.

AHRQ

AHRQ receives no discretionary budget authority in L-HHS-ED appropriations bills; rather, funding for almost all of its programs is provided by transfers from the PHS Evaluation Tap. An additional amount for one prevention program is transferred from the PPHF.²⁷ The FY2014 omnibus provided \$364 million in Evaluation Tap transfers. This is \$1.4 million (-0.4%) less than the FY2013 post-sequester operating level and \$30 million (+9.1%) more than the President's

²⁷ In addition to transfers from the Evaluation Tap and the PPHF, AHRQ also receives funding from the Patient-Centered Outcomes Research Trust Fund (PCORTF), which was established in Section 6301(e) of the ACA. These funds are not provided in the annual L-HHS-ED bill.

request. The omnibus provided increased support for patient safety research and research innovations, areas for which reductions had been proposed in the President's Budget.

CMS

The FY2014 omnibus provided nearly \$4.0 billion in discretionary funding for CMS. This is \$114 million (-2.8%) less than the FY2013 post-sequester discretionary operating level for CMS and nearly \$1.6 billion (-28.3%) less than the President's request. The Program Management account received by far the largest share of discretionary CMS appropriations, \$3.7 billion (-13% from FY2013 post-sequester levels). These funds support program operations (e.g., claims processing, information technology investments, provider and beneficiary outreach and education, appeals, and program implementation), as well as federal administration and other activities. The omnibus also appropriated \$294 million for Health Care Fraud and Abuse Control (HCFAC) activities. This is roughly equivalent to HCFAC's FY2013 post-sequester funding level, though is well below the Senate committee-report recommendation of \$611 million. The Joint Explanatory Statement accompanying the FY2014 omnibus also called for GAO to review the feasibility, cost, benefits, and barriers for CMS to implement a Medicare transactional system with "smart card" technology for validation and authentication of beneficiaries and providers.

ACF

The FY2014 omnibus provided \$17.7 billion in discretionary funding for ACF. This is nearly \$2 billion (+12%) more than ACF's FY2013 post-sequester funding level and \$91 million (-0.5%) less than the President's request. The omnibus provided \$1.5 billion for Refugee and Entrant Assistance programs (+48% from FY2013 post-sequester levels). The Joint Explanatory Statement expressed an expectation that the majority of these funds (\$868 million; +131% from FY2013 post-sequester) would be directed toward the Unaccompanied Alien Children (UAC) program, which provides shelter and support services to unaccompanied alien children who have been apprehended in the United States. The increased funding for UAC reflects the growing number of unaccompanied alien children arriving in this country, up from about 16,100 in FY2011 to roughly 38,800 in FY2013, according to the U.S. Border Patrol.²⁸

The omnibus demonstrated support for ACF early childhood care and education programs, such as Head Start and the Child Care and Development Block Grant (CCDBG). For instance, the omnibus provided \$8.6 billion for Head Start (+14% from FY2013 post-sequester). This amount allows for a cost-of-living adjustment of 1.3% for existing Head Start programs and provides \$25 million for certain costs related to the Head Start Designation Renewal System, through which low-performing grantees are identified for re-competition. It also includes \$500 million for a new initiative to develop Early Head Start-Child Care. Separately, the bill appropriated almost \$2.4 billion for the CCDBG (+7% from FY2013 post-sequester).

ACL

The FY2014 omnibus provided \$1.7 billion in discretionary funding for ACL. This is nearly \$109 million (+7%) more than ALF's FY2013 post-sequester funding level and \$432 million (-21%) less than the President's request. Readers should note that ACL was first established as an HHS agency in April 2012 and the first time funding was requested for ACL as an individual agency was in the FY2014 President's Budget. Previous President's Budgets included separate requests

²⁸ U.S. Border Patrol sector profiles for FY2011 and FY2013. For more information on the UAC program, see CRS Report R43599, *Unaccompanied Alien Children: An Overview*, by Lisa Seghetti, Alison Siskin, and Ruth Ellen Wasem.

for the Administration on Aging, which is now a subcomponent of the larger ACL, along with several other offices.

The omnibus rejected the FY2014 President's Budget proposal to transfer the Community Service Employment for Older Americans program from the Department of Labor to HHS/ACL, but accepted the Administration's proposal to transfer the State Health Insurance Programs (SHIPs) from CMS to ACL (\$52 million in FY2014) and the Paralysis Resource Center from CDC to ACL (\$6.7 million in FY2014). SHIPs provide one-on-one counseling and information assistance to Medicare beneficiaries and their families on Medicare and other health insurance issues. Many SHIPs are already housed in, or are partnered with, state aging services agencies. Meanwhile, the Paralysis Resource Center provides comprehensive information and referral services to people living with paralysis and their families.

Funding Restrictions Related to Certain Controversial Issues

Annual L-HHS-ED appropriations regularly contain restrictions related to certain controversial issues. For instance, annual appropriations laws generally include provisions limiting the circumstances under which L-HHS-ED funds (including Medicaid funds) may be used to pay for abortions. Under current provisions, (1) abortions may be funded only when the life of the mother is endangered or in cases of rape or incest; (2) funds may not be used to buy a managed care package that includes abortion coverage, except in cases of rape, incest, or endangerment; and (3) federal programs and state/local governments that receive L-HHS-ED funding are prohibited from discriminating against health care entities that do not provide or pay for abortions or abortion services.²⁹ Similarly, annual appropriations since FY1997 have included a provision prohibiting L-HHS-ED funds (including NIH funds) from being used to create human embryos for research purposes or for research in which human embryos are destroyed.³⁰ The FY2014 omnibus maintained each of these provisions for FY2014.³¹

The FY2012 law reinstated a provision, removed in FY2010, prohibiting L-HHS-ED funds from being used for needle exchange programs.³² This provision was maintained under the terms of the FY2013 full-year CR and the FY2014 omnibus.³³ The FY2012 law also expanded a provision prohibiting CDC spending on activities that advocate or promote gun control so that it applied to all HHS appropriations; it also added a new, broader provision prohibiting the use of any L-HHS-ED funds (plus funds transferred from the Prevention and Public Health Fund) for the promotion of gun control.³⁴ These provisions were maintained under the terms of the FY2013 full-year CR and the FY2014 omnibus.³⁵

²⁹ The current provisions are commonly referred to as the Hyde and Weldon Amendments. For additional information, see CRS Report RL33467, *Abortion: Judicial History and Legislative Response*, by Jon O. Shimabukuro.

³⁰ The current provision is commonly referred to as the Dickey Amendment. For additional information, see CRS Report RL33540, *Stem Cell Research: Science, Federal Research Funding, and Regulatory Oversight*, by Judith A. Johnson and Edward C. Liu.

³¹ For continuation of the Hyde and Weldon Amendments, see §506 and §507 of P.L. 113-76, Division H. For continuation of the Dickey Amendment, see §508 of P.L. 113-76, Division H.

³² See §523 of P.L. 112-74, Division F.

³³ See §520 of P.L. 113-76, Division H.

³⁴ See §218 (HHS), and §503(c) (all L-HHS-ED, plus PPHF transfers) of P.L. 112-74, Division F.

³⁵ See §217 and §503 of P.L. 113-76, Division H.

Table 6. HHS Appropriations Totals by Agency

(dollars in millions)

HHS Agency	FY2013 Enacted (pre-sequester, post-0.2% ATB)	FY2013 Operating (post- sequester, post- 0.2% ATB, post- transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113-76)
HRSA^a	6,426	6,099	6,259	6,554	6,299
Mandatory BA	235	235	235	235	235
Discretionary BA	6,191	5,864	6,024	6,319	6,064
<i>Evaluation Tap Funding^b</i>	25	25	25	25	25
CDC^c	5,701	5,488	5,272	5,812	5,862
Mandatory BA	55	51	55	55	55
Discretionary BA	5,646	5,437	5,217	5,757	5,807
<i>Evaluation Tap Funding^b</i>	371	375	618	371	211
NIH^c	30,640	28,926	31,094	30,947	29,926
Discretionary BA	30,640	28,926	31,094	30,947	29,926
<i>Evaluation Tap Funding^b</i>	8	8	8	8	8
SAMHSA	3,341	3,210	3,348	3,397	3,435
Discretionary BA	3,341	3,210	3,348	3,397	3,435
<i>Evaluation Tap Funding^b</i>	130	130	165	133	133
AHRQ	0	0	0	0	0
<i>Evaluation Tap Funding^b</i>	369	365	334	364	364
CMS	523,351	523,254	542,059^d	542,900	540,494
Mandatory BA	519,177	519,177	536,530	537,042	536,530
Discretionary BA	4,174	4,077	5,528	5,857	3,963
ACF	29,853	28,720	31,034	31,978	30,944
Mandatory BA	13,066	12,962	13,266	13,266	13,266
Discretionary BA	16,787	15,759	17,768	18,711	17,677
<i>Evaluation Tap Funding^b</i>	6	6	6	6	6
ACL^e	1,468	1,553	1,715^f	1,717	1,662
Discretionary BA	1,468	1,553	1,715	1,717	1,662
Office of the Secretary	2,179	2,113	2,355	2,507	2,460
Mandatory BA	527	527	550	550	550
Discretionary BA	1,652	1,586	1,805	1,956	1,909
<i>Evaluation Tap Funding^b</i>	114	114	176	121	114
HHS Total in the Bill	602,959	599,364	623,136	625,811	621,081
Mandatory BA in the Bill	533,061	532,952	550,637	551,149	550,637
Discretionary BA in the Bill	69,898	66,412	72,499	74,662	70,444

HHS Agency	FY2013 Enacted (pre-sequester, post-0.2% ATB)	FY2013 Operating (post- sequester, post- 0.2% ATB, post- transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113-76)
Memoranda					
Total, BA Available in Fiscal Year (current year from any bill)	587,137	583,542	625,849	628,525	623,794
Total, BA Advances for Future Years (provided in current bill)	109,636	109,636	106,922	106,922	106,922
Total, BA Advances from Prior Years (for use in current year)	93,814	93,814	109,636	109,636	109,636

Source: CRS amounts for FY2013 enacted and the FY2014 Senate committee-reported bill (S. 1284) were estimated based on data provided in S.Rept. 113-71, the committee report accompanying S. 1284. FY2013 operating levels were largely estimated based on FY2013 operating plans for HHS agencies, which are available at <http://www.hhs.gov/budget/fy2013/index.html> (scroll to bottom for FY2013 Agency Operating Plans). Operating estimates reflect reductions required as a result of the FY2013 sequester, as well as any transfers and reprogramming of funds reported by HHS in these operating plans. Amounts for the FY2014 President's request and the FY2014 omnibus (P.L. 113-76) were estimated based on the Joint Explanatory Statement accompanying the FY2014 omnibus. For consistency with source materials, the FY2014 enacted levels do not reflect sequestration for nonexempt mandatory spending programs, where applicable, or any transfers or reprogramming of funds that may have occurred pursuant to executive authorities.

Notes: BA = Budget Authority. ATB = across-the-board rescission. Cmte = Committee. Details may not add due to rounding. Amounts in this table: (1) reflect all BA appropriated in the bill, regardless of the year in which funds become available (i.e., totals do not include advances from prior year appropriations, but do include advances for subsequent years provided in this bill); (2) have generally not been adjusted to reflect scorekeeping; (3) comprise only those funds provided (or requested) for agencies and accounts subject to the jurisdiction of the Labor, HHS, Education Subcommittee of the House and Senate Committees on Appropriations (e.g., department totals do not include funding for the Food and Drug Administration, the Indian Health Service, or the Agency for Toxic Substances and Disease Registry, all of which are funded by other bills); and (4) do not include direct appropriations that occur outside of appropriations bills. Non-add amounts are displayed in italics and parentheses; these amounts are not part of the appropriations totals. FY2013 totals do not include supplemental funds provided by the Disaster Relief Appropriations Act, 2013 (P.L. 113-2).

- These totals all include funding for the Health Education Assistance Loans (HEAL) program, per conventions used in the Joint Explanatory Statement on the FY2014 omnibus and the committee report on the Senate Appropriations Committee's FY2014 L-HHS-ED bill. Note, however that the FY2014 omnibus included a provision transferring administration of HEAL from HHS/HRSA to ED. This transfer was proposed in the FY2014 President's Budget and recommended by the FY2014 Senate Appropriations Committee bill.
- By convention, this table shows only the amount of PHS Evaluation Tap funds received by an agency. The table does not subtract the amount of the evaluation tap from donor agencies' appropriations. The amounts shown in italics with parentheses are *in addition to* appropriated amounts shown in this table.
- Each year, CDC and NIH also receive funding in the Interior-Environment appropriations bill as part of their overall budget authority.
- Consistent with the Joint Explanatory Statement accompanying the FY2014 omnibus, the total amounts shown for the FY2014 President's request for CMS exclude the proposed mandatory appropriation for reduced cost sharing assistance for individuals enrolling in qualified health plans purchased through the Health Insurance Marketplace (per sections 1402 and 1412 of the ACA). This program helps eligible low- and moderate-income individuals and families afford out-of-pocket costs associated with healthcare services.
- Total ACL funding levels are not always comparable between FY2013 and FY2014. For instance, funding for certain developmental disabilities programs are included in ACF totals for FY2013 pre-sequester (per conventions of the Senate Appropriations Committee), but are included in ACL totals for all other columns.
- This total does not include the FY2014 President's request for the Community Services Employment for Older Americans (\$380 million). The Administration proposed transferring administration of this program

to ACL from the by the Department of Labor. However, this proposal was not adopted by the Senate committee-reported bill or the FY2014 omnibus.

Table 7. Discretionary HHS Appropriations for Selected Programs or Activities, by Agency

(dollars in millions)

Selected Programs by Agency	FY2013 Enacted (pre- sequester, post-0.2% ATB)	FY2013 Operating (post- sequester, post- 0.2% ATB, post- transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113-76)
HRSA					
Community Health Centers	1,575	1,479	1,567	1,575	1,495
National Health Service Corps	0	0	0	0	0
Health Professions (Title VII)	233	219	202	255	245
Health Professions, Nursing (Title VIII)	231	218	251	251	224
Children's Hospitals Graduate Medical Education	267	251	88	267	265
Maternal & Child Health Block Grant	644	605	639	644	634
Autism and Other Developmental Disorders	48	45	47	47	47
Healthy Start	104	98	104	104	101
Ryan White AIDS Programs, appropriation	2,318	2,224	2,387	2,369	2,294
<i>Evaluation Tap Funding^a</i>	25	25	25	25	25
Healthcare Systems Bureau	101	95	84	104	103
Rural Health Programs	139	131	122	142	142
Family Planning (Title X)	296	278	327	327	286
CDC^b					
Immunization and Respiratory Diseases	575	563	669	575	572
<i>Evaluation Tap Funding^a</i>	13	13	13	13	13
HIV/AIDS, Viral Hepatitis, STDs, TB Prevention	1,098	1,045	1,174	1,098	1,073
<i>Evaluation Tap Funding^a</i>	0	4	3	0	0
Emerging and Zoonotic Infectious Diseases	252	247	381	283	287
Chronic Disease Prevention and Health Promotion	755	740	620	775	712
Birth Defects and Developmental Disabilities	137	130	67	123	122
Public Health Scientific Services	144	144	144	144	347
<i>Evaluation Tap Funding^a</i>	248	248	325	248	86
Injury Prevention and Control	137	131	177	162	142

Selected Programs by Agency	FY2013 Enacted (pre- sequester, post-0.2% ATB)	FY2013 Operating (post- sequester, post- 0.2% ATB, post- transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113-76)
<i>Evaluation Tap Funding^a</i>	0	0	(5)	0	0
National Institute for Occupational Safety and Health	182	172	0	182	180
<i>Evaluation Tap Funding^a</i>	111	111	272	111	112
Global Health	347	329	393	392	383
Public Health Preparedness and Response /e	1,297	1,232	1,334	1,292	1,323
CDC-Wide Activities ^b	617	601	117	617	518
SAMHSA					
Mental Health Programs of Regional & National Significance (PRNS)	275	271	333	357	374
Mental Health Block Grant	438	416	439	463	463
<i>Evaluation Tap Funding^a</i>	21	21	21	21	21
Children's Mental Health	117	111	117	117	117
Grants to States for the Homeless	65	61	65	65	65
Protection and Advocacy	36	34	36	36	36
Substance Abuse Treatment PRNS	398	403	305	306	312
<i>Evaluation Tap Funding^a</i>	2	2	0	2	2
Substance Abuse Block Grant	1,718	1,631	1,748	1,741	1,741
<i>Evaluation Tap Funding^a</i>	79	79	72	79	79
Substance Abuse Prevention PRNS	186	176	176	176	176
Health Surveillance and Support	109	106	129	136	151
<i>Evaluation Tap Funding^a</i>	27	27	72	30	30
CMS					
CMS Program Management	3,865	3,783	5,217	5,217	3,670
Health Care Fraud and Abuse Control	309	294	311	640	294
ACF					
Low Income Home Energy Assistance Program	3,465	3,255	3,020	3,615	3,425
Refugee and Entrant Assistance Programs	1,014	999	1,123	1,121	1,486
Child Care & Development Block Grant	2,324	2,206	2,478	2,500	2,360
Head Start	7,986	7,573	9,621	9,621	8,598
Child Welfare Services	280	263	281	280	269
Adoption Opportunities	39	37	39	44	41

Selected Programs by Agency	FY2013 Enacted (pre- sequester, post-0.2% ATB)	FY2013 Operating (post- sequester, post- 0.2% ATB, post- transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113-76)
Community Services Block Grant	676	635	350	676	674
ACL					
Home and Community-Based Supportive Services	366	348	367	367	348
Family and Native American Caregiver Support Services	160	152	160	160	152
Nutrition Services Programs	815	768	816	816	815
Aging Network Support Activities	8	7	8	8	7
Alzheimer's Disease Demonstrations	4	4	10	4	4
Adult Protective Services Demonstrations	0	0	8	8	0
State Health Insurance Program	0	0	52	52	52
Office of the Secretary					
General Departmental Management (GDM)	473	447	301	447	458
<i>Evaluation Tap Funding^a</i>	(69)	(69)	(120)	(70)	(69)
Office of Nat'l Coord. for Health Information Technology (ONC)	16	15	21	20	16
<i>Evaluation Tap Funding^a</i>	(45)	(45)	(56)	(51)	(45)
Office of the Inspector General	50	47	69	60	71
Public Health and Social Services Emergency Fund (PHSSEF)	999	968	1,290	1,304	1,243

Source: CRS amounts for FY2013 enacted and the FY2014 Senate committee-reported bill (S. 1284) were estimated based on data provided in S.Rept. 113-71, the committee report accompanying S. 1284. FY2013 operating levels were largely estimated based on FY2013 operating plans for HHS agencies, which are available at <http://www.hhs.gov/budget/fy2013/index.html> (scroll to bottom for FY2013 Agency Operating Plans). Operating estimates reflect reductions required as a result of the FY2013 sequester, as well as any transfers and reprogramming of funds reported by HHS in these operating plans. Amounts for the FY2014 President's request and the FY2014 omnibus (P.L. 113-76) were estimated based on the Joint Explanatory Statement accompanying the FY2014 omnibus. For consistency with source materials, the FY2014 enacted levels do not reflect any transfers or reprogramming of funds that may have occurred pursuant to executive authorities.

Notes: BA = Budget Authority. ATB = across-the-board rescission. Cmte = Committee. Details may not add due to rounding. Amounts in this table: (1) reflect all BA appropriated in the bill, regardless of the year in which funds become available (i.e., totals do not include advances from prior year appropriations, but do include advances for subsequent years provided in this bill); (2) have generally not been adjusted to reflect scorekeeping; (3) comprise only those funds provided (or requested) for agencies and accounts subject to the jurisdiction of the Labor, HHS, Education Subcommittee of the House and Senate Committees on Appropriations (e.g., department totals do not include funding for the Food and Drug Administration, the Indian Health Service, or the Agency for Toxic Substances and Disease Registry, all of which are funded by other bills); and (4) do not include direct appropriations that occur outside of appropriations bills. Non-add amounts are displayed in italics and parentheses; these amounts are not part of the appropriations totals. FY2013 totals do not include supplemental funds provided by the Disaster Relief Appropriations Act, 2013 (P.L. 113-2).

- a. By convention, this table shows only the amount of PHS Evaluation Tap funds received by an agency. The table does not subtract the amount of the evaluation tap from donor agencies' appropriations. The amounts shown in italics with parentheses are *in addition to* appropriated amounts shown in this table
- b. Readers should be aware that amounts requested for CDC programs in the FY2014 President's Budget are not comparable to amounts shown in other columns due to differing display conventions related to the CDC Working Capital Fund (WCF). The President's request embedded WCF funds within the line items for the various CDC programs and activities being supported by the WCF, while all other columns in this table consolidate total WCF funding into the larger CDC-wide activities line item.

Department of Education (ED)

Note that all figures in this section are based on regular L-HHS-ED appropriations only; they do not include funds provided outside of the annual appropriations process (e.g., certain direct appropriations for Federal Direct Student Loans and Pell Grants). All amounts in this section are rounded to the nearest million or billion (as labeled). The dollar changes and percent changes discussed in the text are based on unrounded amounts.

About ED

The federal government provides support for both elementary and secondary education, and postsecondary education. With regard to elementary and secondary education, the federal government provides roughly 12% of overall funding; the vast majority of funding comes from states and local districts.³⁶ States and school districts also have primary responsibility for the provision of elementary and secondary education in the United States. Nevertheless, the U.S. Department of Education (ED) performs numerous functions, including promoting educational standards and accountability; gathering education data via programs such as the National Assessment of Education Progress; disseminating research on important education issues; and administering federal education programs and policies. ED is responsible for administering a large number of elementary and secondary education programs, many of which provide direct support to school districts with a high concentration of disadvantaged students and students with disabilities. One of the most important priorities for ED in elementary and secondary education is improving academic outcomes for all students; particularly disadvantaged students, students with disabilities, English language learners, Indians, Native Hawaiians, and Alaska Natives. With regard to higher education, the federal government supports roughly 73% of all direct aid provided to students to finance their postsecondary education.³⁷ There are also many higher education programs administered by ED—the largest are those providing financial aid to facilitate college access, primarily through student loans and the Pell grant program. In addition, ED administers programs that address vocational rehabilitation, career and technical education, and adult education.

FY2014 ED Appropriations Overview

The FY2014 omnibus provided roughly \$70.60 billion in combined mandatory and discretionary funding for ED. This is about \$1.83 billion (+2.7%) more than the FY2013 post-sequester funding level and \$3.91 billion (-5.2%) less than the FY2014 request. (See **Table 8**.) Of the total provided for ED in the FY2014 omnibus, roughly \$67.30 billion (95%) is discretionary. This is

³⁶ U.S. Department of Education, *FY2014 Education Budget Summary and Background Information*, Appendix 6, <http://www2.ed.gov/about/overview/budget/budget14/summary/appendix6.pdf>.

³⁷ See Figure 2, Total Student Aid by Source, 2011-2012, available at <http://trends.collegeboard.org/student-aid/figures-tables/total-aid>.

\$236 million (+2.4%) more than the post-sequester FY2013 discretionary funding level and \$3.91 billion (-5.5%) less than the discretionary amount requested in the FY2014 President's Budget.

Table 8. ED Appropriations Overview

(billions of dollars)

Funding	FY2013 Enacted (pre-sequester, post-0.2% ATB)	FY2013 Operating (post-sequester, post-0.2% ATB, post-transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113-76)
Discretionary	67.98	65.70	71.21	69.22	67.30
Mandatory	3.23	3.07	3.30	3.30	3.30
Total BA in the Bill	71.21	68.77	74.51	72.53	70.60

Source: CRS amounts for FY2013 enacted and the FY2014 Senate committee-reported bill (S. 1284) were estimated based on data provided in S.Rept. 113-71, the committee report accompanying S. 1284. FY2013 operating levels are estimated based on ED's FY2013 operating plan, which is available at <http://www2.ed.gov/about/overview/budget/budget13/13action.pdf>. Operating estimates reflect reductions required as a result of the FY2013 sequester, plus any transfers and reprogramming of funds reported by ED. Amounts for the FY2014 President's request and the FY2014 omnibus (P.L. 113-76) were estimated based on the Joint Explanatory Statement accompanying the FY2014 omnibus. For consistency with source materials, the FY2014 enacted levels do not reflect sequestration for nonexempt mandatory spending programs, where applicable.

Notes: BA = Budget Authority. ATB = across-the-board rescission. Cmte = Committee. Details may not add due to rounding. Amounts in this table: (1) reflect all BA appropriated in the bill, regardless of the year in which funds become available (i.e., totals do not include advances from prior year appropriations, but do include advances for subsequent years provided in this bill); (2) have generally not been adjusted to reflect scorekeeping; (3) comprise only those funds provided (or requested) for agencies and accounts subject to the jurisdiction of the Labor, HHS, Education Subcommittee of the House and Senate Committees on Appropriations; and (4) do not include direct appropriations that occur outside of appropriations bills. For consistency with source materials, the FY2014 enacted levels do not reflect sequestration for nonexempt mandatory spending programs. The FY2014 omnibus transferred administration for the Health Education Assistance Loans (HEAL) program from HHS to ED, as proposed in the President's Budget; however, HEAL funding is included in HHS (not ED) totals throughout this report, in accordance with the conventions used in the Joint Explanatory Statement on the FY2014 omnibus and the committee report on the Senate Appropriations Committee's FY2014 L-HHS-ED bill.

Selected ED Highlights from FY2013 Appropriations Actions

The following are some ED highlights from the FY2014 omnibus compared to comparable FY2013 funding levels and proposed funding levels from the FY2014 President's Budget.³⁸

Education for the Disadvantaged

The FY2014 omnibus increased funding for Education for the Disadvantaged Grants to Local Educational Agencies (LEAs) to \$14.38 billion. This is \$625 million more than the FY2013 post-sequester funding level and \$132 million less than the President's Budget request. Education for the Disadvantaged is the largest K-12 education program administered by ED and nearly all

³⁸ ED budget materials can be found at <http://www2.ed.gov/about/overview/budget/budget14/index.html?src=ct>. OMB budget materials can be found at <http://www.whitehouse.gov/omb/budget>. For detailed information on ED funding levels recommended by the FY2014 Senate committee bill (S. 1284), see the committee report accompanying the bill (S.Rept. 113-71). For detailed information on ED funding levels in the FY2014 omnibus (P.L. 113-76), see the Joint Explanatory Statement published in the *Congressional Record*, vol. 160, no. 9, Book II (January 15, 2014), pp. H475-H1215.

LEAs in the nation receive funding under this program. The omnibus included a new provision clarifying that these funds may be used to provide transportation for homeless students and to support the work of homeless liaisons.

The FY2014 omnibus funded School Improvement Grants at \$506 million; the same amount as the FY2013 post-sequester funding level and \$153 million less than the President's Budget request.

Impact Aid

The FY2014 omnibus provided \$1.29 billion for Impact Aid, which is \$65 million more than the program's FY2013 post-sequester funding level. The majority of Impact Aid funds are provided directly to LEAs to compensate them for the financial burden resulting from federal activities, including federal ownership of certain lands and the enrollment in LEAs of children of parents who live or work on federal lands.

Innovation and Improvement

The FY2014 omnibus provided \$250 million for the Race to the Top (RTT) program.³⁹ This is \$270 million less than the FY2013 post-sequester funding level and \$750 million less than the FY2014 President's Budget request. The President's Budget and the Senate committee-reported bill for FY2014 would have directed RTT funding toward a new College Affordability and Completion initiative to incentivize state-level postsecondary education reform.⁴⁰ However, the FY2014 omnibus directed the entire \$250 million toward Preschool Development Grants.⁴¹ These grants are intended to support states in developing or expanding high quality preschool for four-year-olds from families with incomes at or below 200% of poverty.⁴² Note that this new RTT Preschool Development Program is distinct from the RTT Early Learning Challenge, for which funding was provided in each of FY2011-FY2013 to support states in implementing integrated early learning systems and serving low-income children from birth through age five.

Safe Schools and Citizenship Education

The FY2014 omnibus provided \$57 million for the Promise Neighborhoods program, which awards competitive grants to distressed communities for comprehensive neighborhood programs designed to combat the effects of poverty and improve the educational and life outcomes of children from birth through college.⁴³ The funding level provided by the FY2014 omnibus is equal to the FY2013 post-sequester funding level, but \$243 million less than the FY2014 President's Budget request.

³⁹ RTT was first authorized by the American Recovery and Reinvestment Act of 2009 (P.L. 111-5).

⁴⁰ For more information, see p. 169 of the committee report (S.Rept. 113-71) accompanying the Senate bill (S. 1284).

⁴¹ Note that the FY2014 President's Budget and the Senate committee-reported bill both requested \$750 million for Preschool Development Grants *outside of* the RTT program. In addition, the President requested \$1.3 billion in mandatory funding for a new Preschool for All initiative. The latter funds are not included in totals throughout this report because the request called for these funds to be provided outside of the annual appropriations process.

⁴² "... such awards may be limited to activities that build the capacity within the State to develop, enhance, or expand high quality preschool programs, including comprehensive services and family engagement, for preschool-aged children from families at or below 200 percent of the Federal poverty line ..." Consolidated Appropriations Act, 2014 (P.L. 113-76).

⁴³ The initial subcommittee bill in the Senate would have provided \$100 million for Promise Neighborhoods, but the full committee adopted an amendment reducing funding for Promise Neighborhoods by \$43 million. This amendment simultaneously increased special education funding (IDEA Part B) by \$43 million.

Special Education

The FY2014 omnibus provides \$11.47 billion in funding for Individuals with Disabilities Act (IDEA), Part B State Grants program. This is \$498 million more than the 2013 post-sequester funding level and \$105 million less than the President's Budget request for FY2014. IDEA Part B State Grants provide federal funding for elementary and secondary education for children with disabilities. As a condition for the receipt of these funds, states are required to provide a free and appropriate public education (i.e., specially designed instruction that meets the needs of a child with a disability).

Student Financial Aid

The FY2014 omnibus provided \$22.78 billion for the Pell Grants program.⁴⁴ This amount is equal to the FY2013 post-sequester funding level, but is \$46 million less than the FY2014 President's request.⁴⁵ Under the FY2014 omnibus, the discretionary base maximum award for award year⁴⁶ (AY) 2014-15 remained at \$4,860, and the total maximum award for which a student is eligible in AY2014-15 is projected to be \$5,730.

Table 9. Detailed Department of Education Appropriations

(dollars in millions)

Agency or Selected Program	FY2013 Enacted (pre-sequester, post-0.2% ATB)	FY2013 Operating (post-sequester, post-0.2% ATB, post-transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113- 76)
Education for the Disadvantaged	15,710	14,922	15,655	15,875	15,553
Grants to LEAs	14,487	13,760	14,516	14,612	14,385
School Improvement Grants	532	506	659	567	506
Striving Readers	159	151	0	164	158
Migrant State Grants	392	373	393	392	375
Neglected and Delinquent	50	48	50	50	48
Evaluation	3	3	0	3	1
High School Graduation Initiative	49	46	0	49	46
Special Programs for Migrant Students	36	35	37	37	35
Preschool Development Grants^a	0	0	750	750	0
Impact Aid	1,289	1,224	1,224	1,291	1,289
School Improvement Programs	4,536	4,307	5,274	4,622	4,397
Science, Technology, Engineering, and Mathematics (STEM) Innovation	0	0	415	0	0

⁴⁴ For more information, see CRS Report R42446, *Federal Pell Grant Program of the Higher Education Act: How the Program Works and Recent Legislative Changes*, by Cassandra Dortch.

⁴⁵ Funding for Pell grants is exempt from sequestration, pursuant to provisions included in Section 255(h) of the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA, Title II of P.L. 99-177, as amended).

⁴⁶ The Pell Grant award year begins July 1 of each year and ends June 30 of the subsequent year. For example, AY2014-2015 begins on July 1, 2014 and ends June 30, 2015.

Agency or Selected Program	FY2013 Enacted (pre-sequester, post-0.2% ATB)	FY2013 Operating (post-sequester, post-0.2% ATB, post-transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113- 76)
Effective Teaching and Learning: Literacy	0	0	187	0	0
Effective Teaching and Learning for a Well-Rounded Educ.	0	0	75	0	0
College Pathways and Accelerated Learning	0	0	102	0	0
Teacher Quality State Grants	2,462	2,338	2,467	2,462	2,350
Math and Science Partnerships	149	142	0	149	150
Supplemental Education Grants	18	17	18	18	17
21 st Century Community Learning Centers	1,149	1,092	1,252	1,200	1,149
State Assessments	388	369	389	408	378
Javits Gifted and Talented Education	0	0	0	15	0
Education for Homeless Children and Youth	65	62	65	65	65
Training and Advisory Services	7	7	7	7	7
Education for Native Hawaiians	34	32	34	34	32
Alaska Native Education Equity	33	31	33	33	31
Rural Education	179	170	179	179	170
Comprehensive Centers	51	48	51	51	48
Indian Education	130	124	131	130	124
Innovation and Improvement	1,524	1,448	2,454	1,332	1,181
Race to the Top	548	520	1,000	250	250
Investing in Innovation Fund	149	142	215	170	142
High School Redesign	0	0	300	0	0
Expanding Educational Options	0	0	295	0	0
Transition to Teaching	26	25	0	0	14
School Leadership	29	28	98	64	26
Charter School Grants	254	242	0	254	248
Magnet Schools Assistance	97	92	100	100	92
Fund for the Improvement of Education (FIE)	66	62	46	138	67
Teacher Incentive Fund	299	284	0	299	289
Teacher and Leader Innovation Fund	0	0	400	0	0
Ready to Learn Television	27	26	0	27	26
Advanced Placement	30	28	0	30	28

Agency or Selected Program	FY2013 Enacted (pre-sequester, post-0.2% ATB)	FY2013 Operating (post-sequester, post-0.2% ATB, post-transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113- 76)
Safe Schools and Citizenship Education	255	242	580	330	271
Successful, Safe and Healthy Students	0	0	280	0	0
Promise Neighborhoods	60	57	300	57	57
National Programs	65	61	0	143	90
Elem/Sec School Counseling	52	50	0	52	50
Carol M. White PE Program	79	75	0	79	75
English Language Acquisition State Grants	731	694	732	731	723
Special Education	12,615	11,982	12,657	12,803	12,497
Grants to States, Part B	11,555	10,975	11,578	11,723	11,473
Preschool Grants	372	353	373	373	353
Grants for Infants and Families	442	420	463	463	438
<i>IDEA State Grants, subtotal</i>	<i>12,368</i>	<i>11,748</i>	<i>12,413</i>	<i>12,558</i>	<i>12,265</i>
IDEA National Activities	245	233	244	245	233
Promoting Readiness of Minors in SSI (Promise)	2	2	0	0	0
Rehabilitation Services and Disability Research	3,620	3,435	3,656	3,698	3,680
Vocational Rehabilitation State Grants (mandatory)	3,231	3,066	3,302	3,302	3,302
Client Assistance State Grants	12	12	12	12	12
Training	35	34	30	35	34
Demonstration and Training Programs	5	5	6	7	6
Migrant and Seasonal Farmworkers	1	1	0	1	1
Protection and Advocacy of Individual Rights	18	17	18	18	18
Supported Employment State Grants	29	28	0	29	28
Independent Living	137	130	137	137	135
Helen Keller National Center for Deaf/Blind Youth and Adults	9	9	9	9	9
National Institute on Disability and Rehab Research	109	103	110	110	104
Assistive Technology	33	31	31	38	33
Special Institutions for Persons w/ Disabilities	215	204	207	209	210
American Printing House for the Blind	24	23	25	24	24

Agency or Selected Program	FY2013 Enacted (pre-sequester, post-0.2% ATB)	FY2013 Operating (post-sequester, post-0.2% ATB, post-transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113- 76)
National Technical Institute for the Deaf	65	62	65	66	66
Gallaudet University	125	119	118	119	119
Career and Adult Education	1,734	1,647	1,750	1,744	1,703
Career and Technical Education (CTE) State Grants	1,121	1,064	1,123	1,123	1,118
CTE National Programs	8	7	18	13	7
Adult Education State Grants	594	564	595	594	564
Adult Education National Programs	11	11	14	14	14
Student Financial Assistance	24,486	24,400	24,685	24,536	24,486
<i>Pell maximum grant (non-add)</i>	<i>4,860</i>	<i>4,860</i>	<i>4,860</i>	<i>4,860</i>	<i>4,860</i>
Pell Grants	22,778	22,778	22,824	22,778	22,778
Federal Supplemental Opportunity Grants	733	696	735	733	733
Federal Work Study	975	926	1,127	1,025	975
Student Aid Administration	1,041	989	1,050	1,044	1,166
Higher Education	1,866	1,772	2,146	1,913	1,925
Aid for Institutional Development	530	503	531	530	521
International Education and Foreign Language	74	70	81	81	72
Fund for the Improvement of Postsecondary Education (FIPSE)	3	3	260	6	79
Postsecondary Programs for Students with Intellectual Disabilities	11	10	0	11	10
Minority Science and Engineering	9	9	9	9	9
Tribally Controlled Postsecondary Voc.& Tech. Institutions	8	8	8	8	8
TRIO Programs	838	796	840	850	838
GEAR UP	302	286	302	307	302
Graduate Assistance in Areas of National Need	31	29	31	31	29
Teacher Quality Enhancement Grants	43	41	0	43	41
Child Care Access	16	15	16	16	15
GPRA data	1	1	68	21	1
Howard University	234	222	234	234	222
College Housing & Academic Facilities Loans^b	0	0	0	0	0
HBCU Capital Financing Program	20	19	21	21	19

Agency or Selected Program	FY2013 Enacted (pre-sequester, post-0.2% ATB)	FY2013 Operating (post-sequester, post-0.2% ATB, post-transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113- 76)
Institute of Education Sciences	592	563	671	653	577
Departmental Management	607	577	633	609	579
Total, ED BA in the Bill^c	71,207	68,771	74,511	72,527	70,604
Subtotal, Mandatory	3,231	3,066	3,302	3,302	3,302
Subtotal, Discretionary	67,976	65,705	71,209	69,225	67,302
Memoranda					
Total, BA Available in Fiscal Year (current year from any bill)	71,207	68,771	74,511	72,527	70,604
Total, BA Advances for Future Years (provided in current bill)	22,597	22,597	22,597	22,597	22,597
Total, BA Advances from Prior Years (for use in current year)	22,597	22,597	22,597	22,597	22,597

Source: CRS amounts for FY2013 enacted and the FY2014 Senate committee-reported bill (S. 1284) were estimated based on data provided in S.Rept. 113-71, the committee report accompanying S. 1284. FY2013 operating levels are estimated based on ED's FY2013 operating plan, which is available at <http://www2.ed.gov/about/overview/budget/budget13/13action.pdf>. Operating estimates reflect reductions required as a result of the FY2013 sequester, plus any transfers and reprogramming of funds reported by ED. Amounts for the FY2014 President's request and the FY2014 omnibus (P.L. 113-76) were estimated based on the Joint Explanatory Statement accompanying the FY2014 omnibus. For consistency with source materials, the FY2014 enacted levels do not reflect sequestration for nonexempt mandatory spending programs, where applicable, or any transfers or reprogramming of funds that may have occurred pursuant to executive authorities.

Notes: BA = Budget Authority. ATB = across-the-board rescission. Cmte = Committee. Details may not add due to rounding. Amounts in this table: (1) reflect all BA appropriated in the bill, regardless of the year in which funds become available (i.e., totals do not include advances from prior year appropriations, but do include advances for subsequent years provided in this bill); (2) have generally not been adjusted to reflect scorekeeping; (3) comprise only those funds provided (or requested) for agencies and accounts subject to the jurisdiction of the Labor, HHS, Education Subcommittee of the House and Senate Committees on Appropriations; and (4) do not include direct appropriations that occur outside of appropriations bills. Non-add amounts are displayed in italics and parentheses; these amounts are not part of the appropriations totals. The FY2014 omnibus transferred administration for the Health Education Assistance Loans (HEAL) program from HHS to ED, as proposed in the President's Budget; however, HEAL funding is included in HHS (not ED) totals throughout this report, in accordance with the conventions used in the Joint Explanatory Statement on the FY2014 omnibus and the committee report on the Senate Appropriations Committee's FY2014 L-HHS-ED bill.

- While the FY2014 omnibus did not provide a stand-alone appropriation for Preschool Development Grants, it did direct \$250 million from the Innovation and Improvement account's Race to the Top program toward such grants. In addition to the amounts shown in this table, the FY2014 President's Budget request also called for \$1.30 billion in mandatory funding for a Preschool for All program. These funds are not shown in this table because the Administration's proposal calls for them to be provided via direct spending budget authority (i.e., through authorizing legislation to be enacted outside of the annual appropriations process).
- The funding level for College Housing and Academic Facilities Loans is \$459,000 in the FY2014 Senate committee bill and in the FY2014 President's Budget, \$458,000 in the pre-sequester FY2013 funding level, and \$435,000 in the FY2013 post-sequester funding level. These amounts round to zero in the above table.
- The ED totals in this table do not include funding for the Health Education Assistance Loans (HEAL) program, per conventions used in the Joint Explanatory Statement on the FY2014 omnibus and the committee report on the Senate Appropriations Committee's FY2014 L-HHS-ED bill. However, the FY2014 omnibus included a provision transferring administration of HEAL from HHS to ED. This transfer was proposed in the FY2014 President's Budget and was recommended in the FY2014 Senate Appropriations Committee bill.

Related Agencies

Note that figures in this section are based on regular L-HHS-ED appropriations only; they do not include funds provided outside the annual appropriations process (e.g., direct appropriations for Old-Age, Survivors, and Disability Insurance benefit payments by the Social Security Administration). All amounts in this section are rounded to the nearest million or billion (as labeled). The dollar changes and percent changes in the text are based on unrounded amounts.

FY2014 Related Agencies Appropriations Overview

The FY2014 omnibus provided roughly \$70.11 billion in combined mandatory and discretionary funding for related agencies funded through this bill. This is about \$2.29 billion (+ 3.4%) more than the FY2013 post-sequester funding level and about \$584 million (+0.8%) more than the FY2014 request. (See **Table 10**.) Of the total provided for related agencies in the FY2014 omnibus, roughly \$14.06 billion (20%) is discretionary. This amount is \$725 million (+ 5.4%) more than the post-sequester FY2013 discretionary funding level and \$591 million (+ 4.4%) more than the discretionary total requested in the FY2014 President's Budget.

Table 10. Related Agencies Appropriations Overview

(billions of dollars)

Funding	FY2013 Enacted (pre-sequester, post-0.2% ATB)	FY2013 Operating (post-sequester, post-0.2% ATB, post-transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113-76)
Discretionary	13.82	13.34	13.47	14.37	14.06
Mandatory	54.48	54.48	56.05	56.05	56.05
Total BA in the Bill	68.30	67.82	69.53	70.42	70.11

Source: CRS amounts for FY2013 enacted and the FY2014 Senate committee-reported bill (S. 1284) were estimated based on data provided in S.Rept. 113-71, the committee report accompanying S. 1284. FY2013 operating levels were estimated based on agency operating plans, where available. In cases where operating plans were not available, FY2013 operating levels are as reported in FY2015 President's Budget materials. Operating estimates generally reflect reductions required as a result of the FY2013 sequester, as well as transfers and reprogramming of funds, as reported in agency operating plans or the FY2015 President's Budget. Amounts for the FY2014 President's request and the FY2014 omnibus (P.L. 113-76) were estimated based on the Joint Explanatory Statement accompanying the FY2014 omnibus. For consistency with source materials, the FY2014 enacted levels do not reflect sequestration for nonexempt mandatory spending programs, where applicable.

Notes: BA = Budget Authority. ATB = across-the-board rescission. Cmte = Committee. Details may not add due to rounding. Amounts in this table: (1) reflect all BA appropriated in the bill, regardless of the year in which funds become available (i.e., totals do not include advances from prior year appropriations, but do include advances for subsequent years provided in this bill); (2) have generally not been adjusted to reflect scorekeeping; (3) comprise only those funds provided (or requested) for agencies and accounts subject to the jurisdiction of the Labor, HHS, Education Subcommittee of the House and Senate Committees on Appropriations; and (4) do not include direct appropriations that occur outside of appropriations bills. FY2013 totals do not include supplemental funds provided by the Disaster Relief Appropriations Act, 2013 (P.L. 113-2).

In general, the largest share of funding appropriated to related agencies in the L-HHS-ED bill goes to the Social Security Administration (SSA).⁴⁷ When taking into account both mandatory and discretionary funding, the SSA accounted for 97% of the entire related agencies appropriation in FY2014. The bulk of mandatory SSA funding from the L-HHS-ED bill supports the Supplemental Security Income program which provides means tested benefits to disabled children and adults and to person 65 and older. When looking exclusively at discretionary funding, the SSA remains the largest component of the related agencies appropriation, constituting roughly 84% of discretionary funds in FY2014. The majority of discretionary SSA funding covers administrative expenses for Social Security, SSI, and Medicare.⁴⁸

After the SSA, the next-largest agency of the related agencies appropriation is the Corporation for National and Community Service (CNCS), which constituted roughly 2% of all funding and 8% of discretionary funding in FY2014. Typically, each of the remaining related agencies receives less than \$1 billion from the annual L-HHS-ED appropriations bill. For more information, see **Table 11**.

Selected Related Agencies Highlights from FY2014 Appropriations Actions⁴⁹

The most significant highlight from the FY2014 budget and appropriations actions among the L-HHS-ED related agencies was SSA's proposal to largely remove funding for program integrity activities from the Limitation on Administrative Expenses (LAE) account and create, through authorizing legislation, a new source of mandatory annual funding for program integrity activities in a new Program Integrity Administrative Expenses (PIAE) account.⁵⁰ No legislation creating the PIAE account or the mandatory funding for program integrity has been introduced in either house of Congress and no such provision was part of P.L. 113-76.

The SSA's total program integrity request for FY2014 was \$1.5 billion, with \$273 million requested as part of LAE and the remaining \$1.2 billion requested via the proposed mandatory spending for the PIAE account. The FY2014 omnibus did not include the proposed PIAE or any mandatory program integrity spending, but did include \$1.2 billion in program integrity funding as part of LAE, an increase of \$441 million (+58%) over the pre-sequester program integrity funding provided for FY2013.

⁴⁷ For additional information on the SSA budget, see CRS Report R41716, *Social Security Administration (SSA): Budget Issues*, by Scott D. Szymendera.

⁴⁸ The SSA assists HHS in administering portions of the federal Medicare program. For more information on this, see Social Security Administration, *Justifications of Estimates for Appropriations Committees, Fiscal Year 2014*, February 2013, <http://ssa.gov/budget/FY14Files/2014FJ.pdf>.

⁴⁹ For detailed information on the funding levels for Related Agencies recommended by the FY2014 Senate committee bill (S. 1284), see the committee report accompanying the bill (S.Rept. 113-71). For funding levels in the FY2014 omnibus (P.L. 113-76), see the Joint Explanatory Statement published in the *Congressional Record*, vol. 160, no. 9, Book II (January 15, 2014), pp. H475-H1215.

⁵⁰ For additional information on this proposal see Social Security Administration, *Justification of Estimates for Appropriations Committees: FY2014*, February 2013, pp. 99-100, <http://ssa.gov/budget/FY14Files/2014FJ.pdf>.

Table 11. Detailed Related Agencies Appropriations

(dollars in millions)

Agency or Selected Program	FY2013 Enacted (pre-sequester, post-0.2% ATB)	FY2013 Operating (post-sequester, post-0.2% ATB, post-transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113- 76)
Cmte for Purchase from People Who Are Blind or Severely Disabled	5	5	5	5	5
Corporation for National and Community Service (CNCS)	1,047	994	1,061	1,061	1,050
<u>Selected CNCS Programs/Initiatives:</u>					
Volunteers in Service to America (VISTA)	95	90	95	95	92
National Senior Volunteer Corps	207	197	207	207	202
AmeriCorps State and National Grants	344	326	346	346	335
National Civilian Community Corps	32	30	30	30	30
National Service Trust	211	201	207	210	207
Corporation for Public Broadcasting (CPB)^a	445	445	445	445	445
Federal Mediation and Conciliation Service	46	44	48	47	45
Federal Mine Safety and Health Review Commission	18	17	16	17	16
Institute of Museum and Library Services (IMLS)	231	220	226	231	227
Medicare Payment Advisory Commission (MedPAC)	12	11	12	12	12
Medicaid and CHIP Payment and Access Commission (MACPAC)	6	5	10	9	8
National Council on Disability	3	3	3	3	3
National Healthcare Workforce Commission	0	0	3	3	0
National Labor Relations Board (NLRB)	278	264	285	285	274
National Mediation Board	13	13	13	13	13
Occupational Safety and Health Review Commission	12	11	13	12	11
Railroad Retirement Board (RRB)	166	164	157	156	154
Dual Benefits (minus tax receipts) (discretionary)	47	47	36	36	36
Federal Payment to RR Retirement Account (mandatory) ^b	0 ^b	0 ^b	0 ^b	0 ^b	0 ^b
Limitation on Administration (discretionary)	111	109	112	111	110
Inspector General (discretionary)	8	8	9	9	8
Social Security Administration (SSA)^c	66,018	65,627	67,228	68,123	67,844
Payments to Social Security Trust Funds (mandatory)	20	20	16	16	16
Supplemental Security Income (SSI) (mandatory)	54,464	54,464	56,036 ^d	56,036	56,029

Agency or Selected Program	FY2013 Enacted (pre-sequester, post-0.2% ATB)	FY2013 Operating (post-sequester, post-0.2% ATB, post-transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113- 76)
Limitation on Administrative Expenses (including user fee activities) (discretionary)	10,676	10,303	10,797	10,768	10,500
Program Integrity (discretionary) ^e	756	743	273	1,197	1,197
SSI Administrative Expenses (adjustment for trust fund transfers from general revenues)	-3,605	-3,605	-4,401	-4,233	-4,920
Office of Inspector General (discretionary)	102	97	106	105	102
Total, Related Agencies BA in the Bill	68,300	67,822	69,525	70,423	70,109
Subtotal, Mandatory	54,485	54,484	56,053	56,053	56,046
Subtotal, Discretionary	13,816	13,338	13,472	14,371	14,063
Memoranda					
Total, BA Available in Fiscal Year (current year from any bill)	67,199	66,699	69,125	70,023	69,709
Total, BA Advances for Future Years (provided in current bill)	19,745	19,745	20,145	20,145	20,145
Total, BA Advances from Prior Years (for use in current year)	18,644	18,622	19,745	19,745	19,745

Source: CRS amounts for FY2013 enacted and the FY2014 Senate committee-reported bill (S. 1284) were estimated based on data provided in S.Rept. 113-71, the committee report accompanying S. 1284. FY2013 operating levels were estimated based on agency operating plans, where available. In cases where operating plans were not available, FY2013 operating levels are as reported in FY2015 President's Budget materials. Operating estimates generally reflect reductions required as a result of the FY2013 sequester, as well as transfers and reprogramming of funds, as reported in agency operating plans or the FY2015 President's Budget. Amounts for the FY2014 President's request and the FY2014 omnibus (P.L. 113-76) were estimated based on the Joint Explanatory Statement accompanying the FY2014 omnibus. For consistency with source materials, the FY2014 enacted levels do not reflect sequestration for nonexempt mandatory spending programs, where applicable, or any transfers or reprogramming of funds that may have occurred pursuant to executive authorities.

Notes: BA = Budget Authority. ATB = across-the-board rescission. Cmte = Committee. Details may not add due to rounding. Amounts in this table: (1) reflect all BA appropriated in the bill, regardless of the year in which funds become available (i.e., totals do not include advances from prior year appropriations, but do include advances for subsequent years provided in this bill); (2) have generally not been adjusted to reflect scorekeeping; (3) comprise only those funds provided (or requested) for agencies and accounts subject to the jurisdiction of the Labor, HHS, Education Subcommittee of the House and Senate Committees on Appropriations; and (4) do not include direct appropriations that occur outside of appropriations bills. Non-add amounts are displayed in italics and parentheses; these amounts are not part of the appropriations totals. FY2013 totals do not include supplemental funds provided by the Disaster Relief Appropriations Act, 2013 (P.L. 113-2).

- CPB funds are typically provided by a two-year advance. The amounts shown for FY2013 will become available in FY2015 and the amount shown for FY2014 enacted will become available in FY2016. Note that the FY2013 operating level in this table does not reflect sequestration. That is because this table shows funding by the year in which funds were appropriated, not the year in which funds become available. The FY2013 sequester was applied to funds appropriated to CPB in FY2011, which became available in FY2013. The post-sequester funding level was \$422 million.
- Actual amount is roughly \$150,000 in each column, which rounds to \$0 in millions (the unit of measure used in this table).
- The Social Security trust funds are considered off-budget, but the Supplemental Security Income (SSI) program, SSA administrative expenses, and certain related SSA activities are included in appropriations for

- L-HHS-ED and Related Agencies. SSA lines in this table do not sum to the total, which has been adjusted to reflect an estimated adjustment for trust fund transfers from general revenues (not shown here).
- d. Does not include the SSI portion (\$587 million) of a legislative proposal to create a mandatory funding stream for program integrity with an estimated total cost of \$1.2 billion for FY2014.
 - e. Program Integrity includes program integrity funds provided as part of the Base Limitation on Administrative Expenses (LAE), but not otherwise included in the category Base LAE in this table. The amount shown for the FY2014 President's Budget in this table reflects only the discretionary component of the program integrity request. The Administration also requested an additional \$1.2 billion in new direct spending budget authority for SSA program integrity activities; these funds are not included in this table because the request calls for them to be provided outside the appropriations process.

Appendix. Budget Enforcement Activities

Budget Control Act and Sequestration

Congress considered FY2014 appropriations in the context of the Budget Control Act of 2011 (BCA, P.L. 112-25) which established initial discretionary spending limits for FY2012-FY2021.⁵¹ The BCA also tasked a Joint Select Committee on Deficit Reduction with developing a deficit reduction plan for Congress and the President to enact by January 15, 2012. The failure of Congress and the President to enact deficit reduction legislation by that date triggered an automatic spending reduction process consisting of a combination of sequestration and lower discretionary spending limits.

FY2013

For FY2013, the BCA called for sequestration of both mandatory and discretionary spending. President Obama issued the required FY2013 sequestration order on March 1, 2013.⁵² Concurrently, the Office of Management and Budget (OMB) issued a report containing the amounts by which budgetary resources must be reduced in order to achieve the necessary spending reductions in FY2013.⁵³ In general, OMB estimated that the joint committee sequester would require a 5.0% reduction in non-exempt nondefense discretionary funding, a 2.0% reduction in certain Medicare funding (subject to a special rule), and a 5.1% reduction for most other non-exempt nondefense mandatory funding.⁵⁴ (OMB also reported on the required percent reductions of non-exempt defense spending—7.8% for non-exempt defense discretionary and 7.9% for non-exempt defense mandatory—but these do not apply to L-HHS-ED.) OMB applied these percentages to funding levels in place at that time (a six-month CR, P.L. 112-175) to determine dollar amount reductions for each budget account. These reductions were later applied to full-year FY2013 funding levels following the enactment of full-year funding in P.L. 113-6.

FY2014 and Beyond

For FY2014-FY2021, the BCA requires annual reductions to both mandatory and discretionary spending. These reductions are to be achieved through a combination of (1) continued sequestration for non-exempt *mandatory* programs and (2) lower spending limits for *discretionary* programs. Subsequent laws (P.L. 113-67, P.L. 113-82) have amended the BCA to extend sequestration for non-exempt *mandatory* programs through FY2024. In addition, the *discretionary* spending limits for FY2014 and FY2015 have been modified by the American

⁵¹ For a more detailed explanation of the BCA, see CRS Report R41965, *The Budget Control Act of 2011*, by Bill Heniff Jr., Elizabeth Rybicki, and Shannon M. Mahan.

⁵² White House, President Obama, Sequestration Order for Fiscal Year 2013 Pursuant to Section 251A of the Balanced Budget and Emergency Deficit Control Act, As Amended, March 1, 2013, available at <http://www.whitehouse.gov/sites/default/files/2013sequestration-order-rel.pdf>.

⁵³ Executive Office of the President, Office of Management and Budget, *OMB Report to the Congress on the Joint Committee Sequestration for Fiscal Year 2013*, March 1, 2013, available at http://www.whitehouse.gov/sites/default/files/omb/assets/legislative_reports/fy13ombjcssequestrationreport.pdf.

⁵⁴ Because the sequester was ordered before the enactment of full-year appropriations for FY2013, OMB calculated the amounts to be sequestered based on annualized funding levels under the six-month FY2013 CR (P.L. 112-175) and applied these percentages to funding levels in place at that time (the six-month CR) to determine dollar amount reductions for each budget account. The law called for the sequester to be applied at the program, project, and activity (PPA) level within each account, but comprehensive PPA data were not made available by OMB.

Taxpayer Relief Act of 2012 (ATRA, P.L. 112-240) and the Bipartisan Budget Act of 2013 (BBA, Division A of P.L. 113-67).⁵⁵ The BCA does not call for sequestration of discretionary spending in FY2014 unless one or both of the statutory discretionary spending limits (also called budget caps) is breached. There are separate limits for defense (budget function 050) and nondefense spending, but the L-HHS-ED bill only includes funding in the nondefense category.

On April 10, 2013, concurrent with the release of the FY2014 President's Budget, President Obama issued a sequestration order for non-exempt FY2014 mandatory spending.⁵⁶ The sequester order took effect on October 1, 2013. OMB's FY2014 joint committee reductions report stated that the sequestration percentages were equal to 2% of nonexempt Medicare spending and 7.2% of non-exempt nondefense mandatory spending in FY2014.⁵⁷ (The report also estimated reductions of 9.8% in non-exempt defense mandatory spending, but this is not applicable to the L-HHS-ED bill.) The OMB report's appendix displays the actual dollar amounts to be sequestered from each budget account. While the report displays reductions at the *account* level, the sequester itself is implemented at the *program, project, or activity* level.

Sequestration of discretionary spending was not required in FY2014. According to OMB's analysis, after making allowable adjustments, the FY2014 omnibus did not violate the defense and nondefense spending limits.⁵⁸

Cap Adjustments, Exemptions, and Special Rules

The BCA (as amended by ATRA and the BBA) established discretionary spending caps for FY2012-FY2021. The law includes provisions allowing for limited adjustments to the caps. For L-HHS-ED, the most notable of these is for increases (up to a point) in new budget authority for specified program integrity initiatives at HHS and the Social Security Administration.

In addition, although sequestration largely consists of automatic, across-the-board spending reductions, the law exempts a limited number of programs from sequestration and subjects others to special rules. The L-HHS-ED bill contains several programs that are exempt from sequestration, including Medicaid, payments to health care trust funds, Supplemental Security Income, Special Benefits for Disabled Coal Miners, retirement pay and medical benefits for commissioned Public Health Service officers, foster care and adoption assistance, and certain family support payments. The L-HHS-ED bill also contains several programs that are subject to special rules under sequestration, such as unemployment compensation, certain student loans, health centers, and portions of Medicare.⁵⁹

⁵⁵ For more information, see CRS Report R43411, *The Budget Control Act of 2011: Legislative Changes to the Law and Their Budgetary Effects*, by Mindy R. Levit.

⁵⁶ White House, President Obama, Sequestration Order for Fiscal Year 2014, April 20, 2013, available at <http://www.whitehouse.gov/the-press-office/2013/04/10/sequestration-order-fiscal-year-2014>.

⁵⁷ *OMB Sequestration Preview Report to the President and Congress for Fiscal Year 2014 and OMB Report to the Congress on the Joint Committee Reductions for Fiscal Year 2014*, revised on May 20, 2013, http://www.whitehouse.gov/sites/default/files/omb/assets/legislative_reports/fy14_preview_and_joint_committee_reductions_reports_05202013.pdf. See the report's appendix for an itemized list of budget accounts that include mandatory spending subject to sequestration in FY2014, the dollar amounts subject to sequestration (based on OMB's current law baseline), the percentage by which they would be reduced, and the dollar amount of the reduction.

⁵⁸ Letter from Sylvia M. Burwell, OMB Director, to The Honorable John A. Boehner, Speaker of the House of Representatives, January 29, 2014, http://www.whitehouse.gov/sites/default/files/omb/assets/legislative_reports/7_day_after/bea_report_hr3547_012914.pdf.

⁵⁹ For more information, see CRS Report R42050, *Budget "Sequestration" and Selected Program Exemptions and*

FY2014 Budget Resolution and 302(b) Allocations

The BBA, which was enacted December 26, 2013, resulted from negotiations between the Chairs of the House and Senate Budget Committees in association with the conference committee on the FY2014 budget resolution. The BBA includes a section titled, “Establishing a Congressional Budget” (Title I, Subtitle B), which provided an alternative mechanism for budget enforcement that could serve as a substitute for a traditional congressional budget resolution for FY2014 and potentially for FY2015.⁶⁰ Following enactment of the BBA, the Chairs of the House and Senate Budget Committees submitted statements for publication in the *Congressional Record* that included committee spending levels (302(a) allocations) for the House and Senate Appropriations Committees for FY2014 “consistent with the discretionary spending limits” set forth in the BBA.⁶¹ Once filed, these levels became enforceable on the House and Senate floor. According to analysis by CBO and OMB, the discretionary appropriations in the FY2014 omnibus, enacted on January 17, 2014, adhered to these spending caps.⁶²

Prior to congressional action on the BBA, both the House and Senate had taken action on their own budget resolutions. On March 23, 2013, the Senate agreed to an FY2014 budget resolution (S.Con.Res. 8) by a vote of 50-49. On March 21, 2013, the House agreed to its own FY2014 budget resolution (H.Con.Res. 25) by a vote of 221-207. On the basis of the overall spending levels established by H.Con.Res. 25 and S.Con.Res. 8, the House and Senate took steps to adopt limits for each of the appropriations subcommittees. These subcommittee spending caps are commonly called 302(b) allocations. The House most recently reported revised 302(b) allocations for FY2014 on July 8, 2013.⁶³ Meanwhile, the Senate Appropriations Committee adopted subcommittee spending guidance for FY2014 at a markup on June 20, 2013.⁶⁴ No new subcommittee allocations were released publicly following the enactment of the BBA and the submission of the new budgetary levels into the *Congressional Record* by the House and Senate Budget Committee Chairs.

See **Table A-1** for an overview of the *published* L-HHS-ED 302(b) allocations for FY2014, as compared to the proposed FY2014 Senate committee bill and the enacted FY2014 omnibus. Note that the most recently published 302(b) allocations do not reflect the revisions to overall caps established by the BBA. Note also that compliance with the discretionary spending caps is evaluated based on budget authority *available in the current fiscal year*, adjusted for scorekeeping by the Congressional Budget Office. As such, totals shown in this table may not be comparable to other totals shown in this report.

Special Rules, coordinated by Karen Spar.

⁶⁰ For more information, see CRS Report R43535, *Provisions in the Bipartisan Budget Act of 2013 as an Alternative to a Traditional Budget Resolution*, by Megan S. Lynch.

⁶¹ Rep. Paul Ryan, “Publication of Budgetary Material,” *Congressional Record*, daily edition, vol. 160 (January 14, 2014), p. H222; Sen. Patty Murray, “Budget Act Enforcement Details,” *Congressional Record*, daily edition, vol. 160 (January 15, 2014), p. S361.

⁶² CBO’s cost estimate is at <http://www.cbo.gov/sites/default/files/cbofiles/attachments/hr3547.pdf>. OMB’s is at http://www.whitehouse.gov/sites/default/files/omb/assets/legislative_reports/7_day_after/bea_report_hr3547_012914.pdf.

⁶³ It is common for 302(b) allocations to be revised throughout the year to reflect action on appropriations bills and changes in congressional priorities, but not necessarily to reflect the final enacted levels of the appropriations laws. For FY2014, for instance, the House issued two 302(b) reports: H.Rept. 113-96 on June 4 and H.Rept. 113-143 on July 8.

⁶⁴ The FY2014 subcommittee guidance adopted by the Senate Appropriations Committee can be found at <http://www.appropriations.senate.gov/news.cfm?method=news.view&id=3c0a35fa-18fd-4c7d-abc3-44f5028073e9>.

Table A-1. FY2014 Discretionary 302(b) Allocations for L-HHS-ED and Status of Comparable Appropriations

(BA in billions of dollars)

FY2014 House Allocation	FY2014 Senate Allocation	FY2014 Senate Committee (S. 1284)	FY2014 Enacted (P.L. 113-76)
121.8 ^a	164.3	165.6 ^b	157.7 ^b

Source: CRS took the FY2014 House allocation from H.Rept. 113-143, reported on July 8, 2013. The FY2014 Senate allocation is based on subcommittee guidance adopted by the Senate Committee on Appropriations at a committee markup on June 20, 2013. The FY2014 Senate committee bill (S. 1284) amount is from S.Rept. 113-71, reported on July 11, 2013. The FY2014 enacted amount is based on the CBO cost estimate for P.L. 113-76.

Notes: BA = budget authority. BA subject to discretionary 302(b) allocations represents current year budget authority (not total budget authority in the bill), adjusted for scorekeeping.

- These subcommittee allocations were published on the basis of the overall spending caps established by H.Con.Res. 25 and S.Con.Res. 8. They do not reflect revised subcommittee allocations pursuant to the revised spending caps specified in the BBA and subsequently published in the *Congressional Record* by the House and Senate Budget Committees.
- The Budget Control Act allows for an increase in the caps for additional BA provided for program integrity initiatives aimed at reducing improper benefit payments in Disability Insurance and Supplemental Security Income programs, Medicare, Medicaid, and the Children's Health Insurance Program. S. 1284 would have provided \$1.253 billion in cap adjustments for program integrity initiatives at the Social Security Administration and P.L. 113-76 provided \$924 million in cap adjustments for these initiatives.

Current Year Budget Authority

Table A-1 displays the total L-HHS-ED current year budget authority for FY2014 discretionary and mandatory appropriations provided or proposed, by title, compared to comparable pre- and post-sequester FY2013 funding levels. The amounts shown in this table reflect total budget authority available for obligation in the fiscal year, regardless of the year in which it was first appropriated.⁶⁵ (For a comparable table showing total budget authority in the bill, rather than current year budget authority, see **Table 2** in the body of this report.)

Table A-2. L-HHS-ED Appropriations Overview by Bill Title, FY2013-FY2014

(current year BA in billions of dollars)

Bill Title	FY2013 Enacted (pre-sequester, post-0.2% ATB)	FY2013 Operating (post- sequester, post- 0.2% ATB, post- transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113- 76)
Labor	14.15	13.48	14.66	14.62	14.20
Discretionary	12.47	11.85	12.50	12.46	12.04
Mandatory	1.68	1.63	2.16	2.16	2.16
HHS	587.14	583.54	625.85	628.52	623.79
Discretionary	69.90	66.41	72.50	74.66	70.44
Mandatory	517.24	517.13	553.35	553.86	553.35

⁶⁵ These amounts exclude advance appropriations for future years, but include advance appropriations from prior years that became available in the applicable current year.

Bill Title	FY2013 Enacted (pre-sequester, post-0.2% ATB)	FY2013 Operating (post- sequester, post- 0.2% ATB, post- transfers & reprogramming)	FY2014 Request	FY2014 Senate Cmte. (S. 1284)	FY2014 Enacted (P.L. 113- 76)
Education	71.21	68.77	74.51	72.53	70.60
Discretionary	67.98	65.70	71.21	69.22	67.30
Mandatory	3.23	3.07	3.30	3.30	3.30
Related Agencies	67.199	66.699	69.125	70.023	69.709
Discretionary	13.815	13.315	13.472	14.371	14.063
Mandatory	53.385	53.385	55.653	55.653	55.646
Total Current Year BA^a	739.69	732.49	784.14	785.69	778.31
Discretionary	164.16	157.28	169.68	170.72	163.85
Mandatory	575.54	575.22	614.46	614.97	614.46
Memoranda:					
Advances for Future Years (provided in current bill) ^b	153.79	153.79	152.88	151.46	151.46
Advances from Prior Years (for use in current year)	136.87	136.84	153.78	153.78	153.79
Additional Scorekeeping Adjustments ^c	-7.12	-7.12	-3.87	-5.13	-6.16

Source: CRS amounts for FY2013 enacted and the FY2014 Senate committee-reported bill (S. 1284) were estimated based on data provided in S.Rept. 113-71, the committee report accompanying S. 1284. FY2013 operating levels were estimated based on agency operating plans, where available. In cases where operating plans were not available, FY2013 operating levels are as reported in FY2015 President's Budget materials. Operating estimates generally reflect reductions required as a result of the FY2013 sequester, as well as transfers and reprogramming of funds, as reported in agency operating plans or the FY2015 President's Budget. Amounts for the FY2014 President's request and the FY2014 omnibus (P.L. 113-76) were estimated based on the Joint Explanatory Statement accompanying the FY2014 omnibus. For consistency with source materials, the FY2014 enacted levels do not reflect sequestration for nonexempt mandatory spending programs, where applicable, or any transfers or reprogramming of funds that may have occurred pursuant to executive authorities.

Notes: BA = Budget Authority. ATB = across-the-board rescission. Cmte = Committee. Details may not add due to rounding. Amounts in this table: (1) reflect all BA appropriated in the bill, regardless of the year in which funds become available (i.e., totals do not include advances from prior year appropriations, but do include advances for subsequent years provided in this bill); (2) have generally not been adjusted to reflect scorekeeping; (3) comprise only those funds provided (or requested) for agencies and accounts subject to the jurisdiction of the Labor, HHS, Education Subcommittee of the House and Senate Committees on Appropriations; and (4) do not include direct appropriations that occur outside of appropriations bills. FY2013 totals do not include supplemental funds provided by the Disaster Relief Appropriations Act, 2013 (P.L. 113-2). The FY2014 omnibus transferred administration for the Health Education Assistance Loans (HEAL) program from HHS to ED, as proposed in the President's Budget; however, HEAL funding is included in HHS (not ED) totals throughout this report, in accordance with the conventions used in the Joint Explanatory Statement on the FY2014 omnibus and the committee report on the Senate Appropriations Committee's FY2014 L-HHS-ED bill.

- Totals in this table are based on current year budget authority, meaning budget authority that is available for obligation in a given fiscal year, regardless of the year in which it was first appropriated (i.e., exclude advance appropriations for future years, but include advance appropriations from prior years that became available in the applicable current year).
- The calculation for total budget authority in the bill (rather than total budget authority available for obligation in the current fiscal year) is as follows: Total Current Year BA minus Advances from Prior Years plus Advances for Future Years.)

- c. Totals in this table have generally not been adjusted for scorekeeping. (To adjust for scorekeeping, add this line to the total budget authority.)

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